

EXHIBIT A

VEATCH CARLSON, LLP
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
1055 WILSHIRE BOULEVARD, 11TH FLOOR
LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 381-2801
FACSIMILE (213) 388-6370

(SPACE BELOW FOR FILING STAMP ONLY)

ROBERT T. MACKEY, State Bar No. 210810
rmackey@veatchfirm.com
PETER H. CROSSIN, State Bar No. 163189
pcrossin@veatchfirm.com
RICHARD P. DIEFFENBACH, State Bar No. 102663
rdieffenbach@veatchfirm.com

Atorneys for Defendant, BRANT BLAKEMAN

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

CORY SPENCER, an individual;
DIANA MILENA REED, an individual;
and COASTAL PROTECTION
RANGERS, INC., a California non-profit
public benefit corporation,

CASE NO.: 2:16-CV-2129-SJO-RAO
Assigned to Courtroom: 1
The Hon. S. James Otero

Plaintiffs,

VS.

**DEFENDANT BRANT
BLAKEMAN'S INITIAL
DISCLOSURES PURSUANT TO
RULE 26(a)(1)**

LUNADA BAY BOYS; THE INDIVIDUAL MEMBERS OF THE LUNADA BAY BOYS, including but not limited to SANG LEE, BRANT BLAKEMAN, ALAN JOHNSTON AKA JALIAN JOHNSTON, MICHAEL RAE PAPAYANS, ANGELO FERRARA, FRANK FERRARA, CHARLIE FERRARA, and N.F.; CITY OF PALOS VERDES ESTATES; CHIEF OF POLICE JEFF KEPLEY, in his representative capacity; and DOES 1-10,

Defendants.

111

111

BRANT BLAKEMAN'S INITIAL DISCLOSURES

Now comes Defendant Brant Blakeman and pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure makes these initial disclosure

1. The following persons are likely to have discoverable information that Defendant Brant Blakeman may use in support of his defenses:

(a) Brant Blakeman

Brant Blakeman is a named defendant in this matter. He resides in Palos Verdes Estates and can be contacted through counsel. He is expected to testify regarding his relationship and interactions with the plaintiffs, his relationship and interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes Estates. He will further testify as to the events on February 13, 2016 and February 29, 2016 when plaintiff Diana Milena Reed and Defendant Alan Johnston were in his presence on the beach at Lunada Bay.

(b) Alan Johnston

Alan Johnston is a named defendant in this matter. He resides in Palos Verdes Estates. It is believed Mr. Johnston can be contacted through his counsel. He is expected to testify regarding his relationship and interactions with the plaintiffs, his relationship and interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes Estates. He is expected to testify as the events on February 13, 2016 when plaintiff Diana Milena Reed and Brant Blakeman were in his presence on the beach at Lunda Bay.

(c) Sang Lee

Sang Lee is a named defendant. It is believed he can be contacted through his counsel. He is expected to testify regarding his relationship and interactions with the plaintiffs, his relationship and interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes Estates.

(d) Michael Rae Papayans

Michael Rae Papayans is a named defendant. It is believed he can be

1 contacted through his counsel. He is expected to testify regarding his relationship and
2 interactions with the plaintiffs, his relationship and interactions with the defendants,
3 and his experiences at Lunada Bay and Palos Verdes Estates.

4 (e) **Angelo Ferrara**

5 Angelo Ferrara is a named defendant. It is believed he can be contacted
6 through his counsel. He is expected to testify regarding his relationship and
7 interactions with the plaintiffs, his relationship and interactions with the defendants,
8 and his experiences at Lunada Bay and Palos Verdes Estates.

9 (f) **N.F.**

10 N.F. is a minor and a named defendant. It is believed he can be
11 contacted through his counsel. He is expected to testify regarding his relationship and
12 interactions with the plaintiffs, his relationship and interactions with the defendants,
13 and his experiences at Lunada Bay and Palos Verdes Estates.

14 (f) **Frank Ferrara**

15 Frank Ferrara is a named defendant. His residence and contact
16 information are unknown at this time or not available. He is expected to testify
17 regarding his relationship and interactions with the plaintiffs, his relationship and
18 interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes
19 Estates.

20 (g) **Charlie Ferrara**

21 Charlie Ferrara is a named defendant. His residence and contact
22 information are unknown at this time or not available. He is expected to testify
23 regarding his relationship and interactions with the plaintiffs, his relationship and
24 interactions with the defendants, and his experiences at Lunada Bay and Palos Verdes
25 Estates.

26 (h) **The City of Palos Verdes Estates Rule 30(b)(6) witnesses**

27 The City of Palos Verdes is a named defendant in this matter. It is
28 believed it can be contacted through its counsel. It is anticipated that a the City of

1 Palos Verdes will designate one or more persons to testify on its behalf regarding the
2 City's relationship and interactions with the plaintiffs, the City's relationship and
3 interactions with the defendants, and the City's knowledge of Lunada Bay and Palos
4 Verdes Estates.

5 (i) **Jeff Kepley**

6 Jeff Kepley is the Chief of Police of Palos Verdes Estates. His
7 residence is unknown and it is believed he can be contacted through his counsel. He
8 is expected to testify regarding his relationship and interactions with the plaintiffs, his
9 relationship and interactions with the defendants, and his experiences at Lunada Bay
10 and Palos Verdes Estates. He is expected to testify regarding the City of Palos
11 Verdes Estates Police Departments history, interactions and relationship with the
12 plaintiffs, defendants, surfers, and beach goers. He is expected to testify as to issues
13 related to enforcement of the laws within his jurisdiction in the Lunada Bay and Palos
14 Verdes area.

15 (j) **Diana Milena Reed**

16 Diana Milena Reed is named plaintiff in this action. Her residence and
17 contact information are unknown although it is believed he may be contacted through
18 her counsel. She is expected to testify regarding her relationship and interactions with
19 the named plaintiffs, her relationship and interactions with the named defendants, and
20 her specific experience at Lunada Bay and Palos Verdes Estates. She is expected to
21 testify as the events on February 13, 2016 and her interactions with Alan Johnston and
22 Brant Blakeman. She is expected to testify as to events on February 29, 2016 and her
23 interactions with Brant Blakeman.

24 (k) **Cory Spencer**

25 Cory Spencer is a named plaintiff in this action. His residence and
26 contact information are unknown although it is believed he may be contacted through
27 his counsel. He is expected to testify regarding his relationship and interactions with
28 the plaintiffs, his relationship and interactions with the defendants, and his

1 experiences at Lunada Bay and Palos Verdes Estates.

2 (l) **Coastal Protection Rangers Rule 30(b)(6) witnesses**

3 Costal Protection Rangers is a named plaintiff in this matter. It is
4 believed it can be contacted through its counsel. It is anticipated that a the Costal
5 Protection Rangers will designate one or more persons to testify on its behalf
6 regarding it's relationship and interactions with the plaintiffs, it's relationship and
7 interactions with the defendants, and the it's knowledge of Lunada Bay and Palos
8 Verdes Estates.

9 (m) **Victor Otten**

10 Victor Otten is an attorney who's legal practice is located in Torrance,
11 California. His residence information is unknown and his contact information can be
12 found on plaintiffs' pleadings. He is expected to testify regarding his relationship and
13 interactions with the plaintiffs, his relationship and interactions with the defendants,
14 his relationship and interactions with witnesses, and his experiences at Lunada Bay
15 and Palos Verdes Estates.

16
17 2. The following documents in the possession, custody, or control of Brant
18 Blakeman may be used in support of his defenses.

19 (a) February 13, 2016 video camera footage files showing interactions
20 with plaintiff Diana Milena Reed.
21 (b) February 29, 2016 video camera footage files showing interactions
22 with plaintiff Diana Milena Reed.

23
24 3. Defendant Brant Blakeman currently does not seek any damages from
25 plaintiffs. In so stating, Brant Blakeman does not waive the right to seek costs,
26 attorneys' fees, or other amounts to which he may be entitled or may become entitled
27 in the course of this litigation.

28 / / /

1 4. Defendant Brant Blakeman identifies the following insurance agreements
2 that may satisfy all or part of a possible judgment or indemnify or reimburse payment
3 for judgment:

- (a) Farmers Insurance Next Generation Homeowners Policy, Policy Number 93998-80-99
- (b) Farmers Insurance Personal Umbrella Policy, Policy Number 60599-58-95.

The insurance policies will be produced to all parties upon the issuance of an appropriate protective order.

10 DATED: August 22, 2016

VEATCH CARLSON, LLP

By: /s/ Richard P. Dieffenbach
ROBERT T. MACKAY
PETER H. CROSSIN
RICHARD P. DIEFFENBACH
Attorneys for Defendant **BRANT**
BLAKEMAN

L:\WP\01008018\DISC-Initial Disclosures BB.wpd

1 **PROOF OF SERVICE**
2

3 **STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

4 I am employed in the County of Los Angeles, State of California. I am over the
5 age of 18 and not a party to the within action; my business address is 1055 Wilshire
6 Boulevard, 11th Floor, Los Angeles, California 90017-2444.

7 On August 22, 2016, I served the foregoing document described as
8 **DEFENDANT BRANT BLAKEMAN'S INITIAL DISCLOSURES** on the
9 interested parties in this action by placing a true copy thereof in a sealed envelope
10 addressed as follows:

11 ✓ Kurt A. Franklin
12 kfranklin@hansonbridgett.com

Samantha Wolff
SWolff@hansonbridgett.com

13 ✓ Victor Otten
vic@ottenlawpc.com

Mark C. Fields
fields@markfieldslaw.com

14 ✓ Thomas M. Phillips
tphillips@thephillipsfirm.com

Aaron Miller
amiller@thephillipsfirm.com

15 ✓ Edwin J. Richards,
16 Ed.Richards@kutakrock.com

Jacob Song
jacob.song@kutakrock.com

17 ✓ Edward Ward
Edward.Ward@lewisbrisbois.com

Peter Haven
peter@havenlaw.com

18 ✓ J. Patrick Carey
pat@patcareylaw.com

20 **ELECTRONIC MAIL SERVICE** I served the above documents by
21 electronic mail in the United States during normal business hours by causing
22 the within document to be transmitted to the attorneys of record for the
23 parties herein at the email address(es) of said attorney(s) as indicated above.
The electronic service was in compliance with CRC Rule 2.251 and the
transmission was reported as complete and without error. I am readily familiar
with Veatch Carlson, LLP business practices for electronic service.

24 **FEDERAL:** I declare that I am employed in the office of a member of the
25 bar of this court at whose direction the service was made.

26 Executed on August 22, 2016 at Los Angeles, California.

27 /s/ Andrea Dona

Andrea Dona

From: Andrea Dona
Sent: Monday, August 22, 2016 4:09 PM
To: 'peter@havenlaw.com'; 'swolff@hansonbridgett.com'; 'jacob.song@kutakrock.com'; 'tphillips@thephillipsfirm.com'; 'Edward.Ward@jewlsbrisbols.com'; 'kfranklin@hansonbridgett.com'; 'vio@ottenlawpc.com'
Cc: Richard P. Dieffenbach; John Worgul
Subject: Spencer v. Lunada Bay Boys; Brant Blakeman's Initial Disclosures

Attachments: DISC-B. Blakeman's Initial Disclosures.PDF

Attached please find Defendant Brant Blakeman's Initial Disclosures Pursuant to Rule 26(a)(1).

Andrea (Andi) Dona

Legal Assistant to James E. Siepler
and Richard P. Dieffenbach

Veatch Carlson, LLP

1055 Wilshire Boulevard, 11th Floor
Los Angeles, California 90017
Telephone: (213) 381-2861 x1130
Facsimile: (213)383-6370
adona@veatchfirm.com

PROOF OF SERVICE

1 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES
2

3 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and
4 not a party to the within action; my business address is 1055 Wilshire Boulevard, 11th Floor, Los
Angeles, California 90017-2444.

5 On 8/24/16, I served the foregoing document described as **DEFENDANT BRANT**
6 **BLAKEMAN'S INITIAL DISCLOSURES PURSUANT TO RULE 26(a)(1)** on the interested
parties in this action by placing a true copy thereof in a sealed envelope addressed as follows:

7 SEE ATTACHED SERVICE LIST

8 **BY MAIL** (C.C.P. §§ 1013a, *et seq.*): I am "readily familiar" with the firm's practice of
9 collection and processing correspondence for mailing. Under that practice it would be
10 deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid
at Los Angeles, California, in the ordinary course of business. I am aware that on motion of
the party served, service is presumed invalid if postal cancellation or postage meter date is
more than one day after date of deposit for mailing in affidavit.

11 **ELECTRONIC MAIL SERVICE** I served the above documents by electronic mail in the
12 United States during normal business hours by causing the within document to be
13 transmitted to the attorneys of record for the parties herein at the email address(es) of said
attorney(s) as indicated above. The electronic service was in compliance with CRC Rule
2.251 and the transmission was reported as complete and without error. I am readily
14 familiar with Veatch Carlson, LLP business practices for electronic service. :

15 **BY PERSONAL SERVICE** (C.C.P. §§ 1011, *et seq.*): I delivered such envelope(s) by
hand to the offices of the addressee(s).

16 **BY FACSIMILE TRANSMISSION** from Facsimile No. (213) 383-6370 to the fax
17 numbers listed below. The facsimile machine I used complied with Court Rule 2.306.
18 Pursuant to Rule 2.306, I caused the machine to print a transmission confirmation report
that showed the document was transmitted complete and without error and a copy is
attached.

19 **BY EXPRESS MAIL** (C.C.P. §§ 1013(c)(d), *et seq.*): I caused said document(s) to be
20 deposited with an express service carrier in a sealed envelope designed by the carrier as an
express mail envelope, with fees and postage prepaid.

21 **BY REGISTERED MAIL** (C.C.P. §§ 1020, *et seq.*): I caused said document(s) to be
22 deposited with the United States Mail, postage prepaid, return receipt requested, signed by
the addressee that said documents were received.

23 **STATE:** I declare under penalty of perjury under the laws of the State of California that
the above is true and correct.

24 **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court
25 at whose direction the service was made.

26 Executed on August 24, 2016 at Los Angeles, California.

27 
28 ANDREA DONA

SERVICE LIST

Cory Spencer, et al v. Lunada Bay Boys, et al.

1 USDC, Central District, Western Division Case No.: 2:16-ev-02129-SJO (RAOx)

2	Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGETT LLP 425 Market Street, 26 th Floor San Francisco, CA 94105	Attorneys for PLAINTIFFS Telephone: (415) 442-3200 Facsimile: (415) 541-9366 Email: kfranklin@hansonbridgett.com Email: swolff@hansonbridgett.com Email: clee@hansonbridgett.com
7	Tyson M. Shower, Esq. Landon D. Bailey, Esq. HANSON BRIDGETT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814	Attorneys for PLAINTIFFS Telephone: (916) 442-3333 Facsimile: (916) 442-2348 Email: tshower@hansonbridgett.com
10	Victor Otten, Esq. Kavita Tekchandani, Esq. OTTEN LAW PC 3620 Pacific Coast Highway, #100 Torrance, CA 90505	Attorneys for PLAINTIFFS Telephone: (310) 378-8533 Facsimile: (310) 347-4225 Email: vic@ottenlawpc.com Email: kavita@ottenlawpc.com
14	Edwin J. Richards, Esq. KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 992614-8595	Attorneys for Defendants CITY OF PALOS VERDES ESTATES and CHIEF OF POLICE JEFF KEPLEY Telephone: (949) 417-0999 Facsimile: (949) 417-5394 Email: ed.richards@kutakrock.com Email: jacob.song@kutakrock.com
19	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant ALAN JOHNSTON aka JALIAN JOHNSTON Telephone: (310) 526-2237 Facsimile: (310) 526-2237 Email: pat@patcareylaw.com Email Used by ECF: pat@southbaydefenselawyer.com
25	Peter R. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266	Attorney for Defendant MICHAEL RAY PAPAYANS Telephone: (310) 272-5353 Facsimile: (213) 477-2137 Email: peter@hblwfirm.us Email: peter@havenlaw.com

1	Mark C. Fields LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35 th Floor Los Angeles, CA 90071	Attorney for Defendants ANGELO FERRARA ; N.F. appearing through [Proposed] Guardian Ad Litem, Leonora Ferrara Attorney for Petitioner Telephone: (213) 948-2349 Email: fields@markfieldslaw.com
5	Thomas M. Phillips, Esq. Aaron G. Miller THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017	Attorney for Defendant ANGELO FERRARA Telephone: (213) 244-9913 Facsimile: (213) 244-9915 Email: tphillips@thephillipsfirm.com
10	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5 th Street, Suite 4000 Los Angeles, CA 90071	Attorney for Defendant SANG LEE Telephone: (213) 580-3858 Facsimile: (213) 250-7900 Email: Dana.Fox@lewisbrisbois.com Email: Edward.Ward@lewisbrisbois.com Email: Eric.Kizirian@lewisbrisbois.com

EXHIBIT B

Victor Otten

From: Richard P. Dieffenbach <RDieffenbach@veatchfirm.com>
Sent: Saturday, September 17, 2016 8:39 PM
To: Victor Otten
Cc: rmackey@veatchfirm.com; pcrossin@veatchfirm.com; Song, Jacob;
Ed.Richards@kutakrock.com; Antoinette.Hewitt@KutakRock.com;
Rebecca.Wilson@kutakrock.com; pau@bremerwhyte.com; lbell@bremerwhyte.com;
fields@Markfieldslaw.com; tphillips@thephillipsfirm.com; amiller@thephillipsfirm.com;
peter@havenlaw.com; Pat Carey; pat@southbaydefenselawyer.com;
Dana.Fox@lewisbrisbois.com; Edward.Ward@lewisbrisbois.com;
Eric.Kizirian@lewisbrisbois.com; Tera.Lutz@lewisbrisbois.com; Kurt A. Franklin; Samantha
Wolff; jworgul@veatchfirm.com; Kavita Tekchandan
Subject: Re: Service of discovery

Victor

Yes there were interrogatories and document requests to each plaintiff. I will follow up with the service. Thanks for letting us know.

Sent from my iPad

On Sep 17, 2016, at 6:52 PM, Victor Otten <vic@ottenlawpc.com> wrote:

Dear Mr. Mackey:

Today, the attorney down hall from me found the following documents sitting on the ground outside the back entrance to our building:

1. Request for Production of Documents Propounded by Defendant Brant Blakeman to Plaintiff Coastal Protection Rangers, Inc. (Set One).
2. Request for Production of Documents Propounded by Defendant Brant Blakeman to Plaintiff Cory Spencer (Set One).
3. Request for Production of Documents Propounded by Defendant Brant Blakeman to Plaintiff Diana Milena Reed (Set One).
4. Interrogatories to Diana Milena Reed (Set One).
5. Interrogatories to Cory Spencer (Set One).
6. Interrogatories to Coastal Protection Rangers (Set One).

The Proof of Service on all of the documents states that Andreas Dona delivered the discovery on September 16, 2016. As there were people here from 9:00 AM until 8:20 PM last night, the delivery must have occurred sometime between 8:20 PM and 8:00 AM this morning when Mr. Benevento arrived at the office. I was the last person to leave the building and checked the back door to make sure that it was locked and did not see the documents.

As the documents were not in an envelope, can you confirm that these were all the documents that you were intended to serve? In the future, please let your process server know that there is a mail slot in the front of the building where envelopes can safely be deposited after hours.

Kind regards,
Vic

Victor Otten, Esq.

<image001.png>

3620 Pacific Coast Hwy #100 | Torrance, California 90505

P (310) 378-8533 | F (310) 347-4225 | E yic@ottenlawpc.com | W www.ottenlawpc.com

This e-mail is confidential and is legally privileged. If you have received it in error, you are on notice of its status. Please notify us immediately by reply e-mail and then delete this message from your system. Please do not copy it or use it for any purposes, or disclose its contents to any other person. To do so could violate state and Federal privacy laws. Thank you for your cooperation. Please contact Rosa at 310-378-8533 if you need assistance.

Please consider the environment before printing this e-mail message.

<IMG_0329.JPG>

EXHIBIT C

1 HANSON BRIDGETT LLP
2 KURT A. FRANKLIN, SBN 172715
3 kfranklin@hansonbridgett.com
4 SAMANTHA WOLFF, SBN 240280
5 swolff@hansonbridgett.com
6 CAROLINE LEE, SBN 293297
7 clee@hansonbridgett.com
8 425 Market Street, 26th Floor
9 San Francisco, California 94105
10 Telephone: (415) 777-3200
11 Facsimile: (415) 541-9366

12 HANSON BRIDGETT LLP
13 TYSON M. SHOWER, SBN 190375
14 tshower@hansonbridgett.com
15 LANDON D. BAILEY, SBN 240236
16 lbailey@hansonbridgett.com
17 500 Capitol Mall, Suite 1500
18 Sacramento, California 95814
19 Telephone: (916) 442-3333
20 Facsimile: (916) 442-2348

21 OTTEN LAW, PC
22 VICTOR OTTEN, SBN 165800
23 vic@ottenlawpc.com
24 KAVITA TEKCHANDANI, SBN 234873
25 kavita@ottenlawpc.com
26 3620 Pacific Coast Highway, #100
27 Torrance, California 90505
28 Telephone: (310) 378-8533
Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs
18 CORY SPENCER, DIANA MILENA
19 REED, and COASTAL PROTECTION
20 RANGERS, INC.

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
25 individual; and COASTAL
26 PROTECTION RANGERS, INC., a
27 California non-profit public benefit
28 corporation,

Plaintiffs.

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFFS' SUPPLEMENTAL
DISCLOSURES**

1

v.

2
3 LUNADA BAY BOYS; THE
4 INDIVIDUAL MEMBERS OF THE
5 LUNADA BAY BOYS, including but
6 not limited to SANG LEE, BRANT
7 BLAKEMAN, ALAN JOHNSTON
8 AKA JALIAN JOHNSTON,
9 MICHAEL RAE PAPAYANS,
10 ANGELO FERRARA, FRANK
11 FERRARA, CHARLIE FERRARA,
12 and N.F.; CITY OF PALOS
13 VERDES ESTATES; CHIEF OF
14 POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,
17
18 Defendants.

19

20 Plaintiffs CORY SPENCER, DIANA MILENA REED, and COASTAL
21 PROTECTION RANGERS, INC. (collectively, "Plaintiffs") make the following
22 supplemental initial disclosures pursuant to F.R.C.P. 26(a)(1). As permitted
23 under Rule 26(e)(1), Plaintiffs reserve the right to clarify, amend, modify or
24 further supplement the information contained in these Supplemental
25 Disclosures if and when they obtain additional supplemental information. In
26 addition, Plaintiffs may rely on any persons or documents identified by any
27 party as part of their disclosures or during discovery.

28 Plaintiffs' Initial Disclosures are made without waiver of, or prejudice
29 to, any objections Plaintiffs may assert or have previously asserted.

30 Plaintiffs expressly reserve all objections, including, but not limited to:
31 (a) attorney-client privilege; (b) work-product doctrine; and (c) any other
32 applicable privilege or protection under federal or state law. Plaintiffs
33 reserve the right to retract any inadvertent disclosures of information or

1 documents that are protected by the attorney-client privilege, the work
2 product doctrine, or any other applicable protection.

3 Without waiving any objections, Plaintiffs make the following
4 disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil
5 Procedure:

6 **A. Witnesses**

7 Plaintiffs are in the process of identifying witnesses who are likely to
8 have discoverable information. However, at this early stage, Plaintiffs
9 identify the following person(s) they may use to support their claims:

- 10 1) Plaintiff class representative, Cory Spencer, who may be
11 reached via counsel for Plaintiffs, on the subjects set forth in
12 the Complaint, to which he was a percipient witness.
- 13 2) Plaintiff class representative, Diana Milena Reed, who may be
14 reached via counsel for Plaintiffs, on the subjects of set forth
15 in the Complaint, to which she was a percipient witness.
- 16 3) Defendant, Sang Lee, on the allegations set forth in the
17 Complaint related to Defendant Lunada Bay Boys and the
18 Individual Members of the Lunada Bay Boys.
- 19 4) Defendant, Brant Blakeman, on the allegations set forth in the
20 Complaint related to Defendant Lunada Bay Boys and the
21 Individual Members of the Lunada Bay Boys.
- 22 5) Defendant, Michael Rae Papayans, on the allegations set
23 forth in the Complaint related to Defendant Lunada Bay Boys
24 and the Individual Members of the Lunada Bay Boys.
- 25 6) Defendant, Angelo Ferrara, on the allegations set forth in the
26 Complaint related to Defendant Lunada Bay Boys and the
27 Individual Members of the Lunada Bay Boys.
- 28 7) Defendant, Charlie Ferrara, on the allegations set forth in the

1 15) Peter Babros, 316 Via Pasqual, Redondo Beach, CA 90277,
2 on the allegations set forth in the Complaint related to
3 Defendant Lunada Bay Boys and Individual Members of the
4 Lunada Bay Boys. Plaintiffs are informed and believe that Mr.
5 Babros is a former resident of the City of Palos Verdes
6 Estates having graduated PV High School in 1988 and
7 maintains strong connections to the community. Plaintiffs
8 believe that Mr. Babros is a Lunada Bay Local and is being
9 listed as a potential percipient witness.

10 16) Cassidy Beukema, 2817 Palos Verdes Drive West, Palos
11 Verdes Estates, CA, on the allegations set forth in the
12 Complaint related to Defendant Lunada Bay Boys and
13 Individual Members of the Lunada Bay Boys. Plaintiffs are
14 informed and believe that Ms. Beukema is the step daughter
15 to Defendant Angelo Ferraro and step sister to defendant N.F.
16 Plaintiffs anticipate that this witness has information related to
17 (a) the inner workings of the Lunada Bay Boys and the
18 methods to keep non-locals from the beach, (b) illegal
19 activities at Lunada Bay, (c) the January 20, 2014 incident, at
20 a public surfing event at Lunada on Martin Luther King, Jr.
21 Day, where a Lunada Bay Boy had his face painted in black
22 makeup and wore a black Afro wig. Plaintiffs' list this witness
23 as a percipient witness.

24 17) Ron Bornstein, contact information unknown. Plaintiffs are
25 informed and believe that Mr. Bornstein is a longtime resident
26 of the City of Palos Verdes Estates. Plaintiffs are informed
27 and believe that Mr. Bornstein or "Borno" is a resident of the
28 City of Palos Verdes Estates having graduated PV High

1 School and maintains strong connections to the community.

2 Plaintiffs believe that Mr. Bornstein is a Lunada Bay Local and
3 is being listed as a potential percipient witness and possible
4 defendant.

5 18) Joel Milam, 30571 Rue De La Pzerre, Rancho Palos Verdes,
6 CA 90275, on the allegations set forth in the Complaint
7 related to Defendant Lunada Bay Boys and Individual
8 Members of the Lunada Bay Boys. Plaintiffs are informed and
9 believe that Mr. Milam was a former resident of the City of
10 Palos Verdes Estates having graduated PV High School and
11 maintains strong connections to the community. Plaintiffs
12 believe that Mr. Milam is a Lunada Bay Local and is being
13 listed as a potential percipient witness.

14 19) Charles Thomas Mowatt, 2337 Via Rivera, Palos Verdes
15 Peninsula, CA 90274-2725; (310) 375-6600, on the
16 allegations set forth in the Complaint related to Defendant
17 Lunada Bay Boys, Individual Members of the Lunada Bay
18 Boys and communications with Defendant City of Palos
19 Verdes Estates. Plaintiffs believe that Mr. Mowatt is a Lunada
20 Bay Local and is being listed as a potential percipient witness
21 and possible defendant.

22 20) James Reinhardt, contact information unknown. Plaintiffs are
23 informed and believe that Mr. Reinhardt is a longtime resident
24 of the City of Palos Verdes Estates having graduated from
25 Palos Verdes High School in 1978. Plaintiffs believe that Mr.
26 Reinhardt is a Lunada Bay Local and is being listed as a
27 potential percipient witness. Plaintiffs believe that Mr.
28 Reinhardt is a Lunada Bay Local and is being listed as a

1 potential percipient witness and possible defendant.

2 21) Fred Strater, contact information unknown, on the allegations
3 set forth in the Complaint related to Defendant Lunada Bay
4 Boys and the Individual Members of the Lunada Bay Boys.
5 Mr. Strater is a former resident of the City of Palos Verdes
6 Estates and maintains strong connections to the community.
7 Plaintiffs believe that Mr. Strater is a Lunada Bay Local.
8 Specifically, it is anticipated that Mr. Strater's testimony will
9 include but not be limited to the following: (a) information
10 regarding his former roommate, Charles Mowatt, as an
11 enforcer and one of the worst Lunada Bay Locals, (b)
12 information regarding the relationship between Michael S.
13 Papayans, Charles Mowatt and the people "running the bay,"
14 (c) tactics used to keep non-locals from coming to Lunada
15 Bay, and (d) other illegal activities.

16 22) Mark Bonney, contact information unknown, on the
17 allegations set forth in the Complaint related to Defendant
18 Lunada Bay Boys and the Individual Members of the Lunada
19 Bay Boys. Plaintiffs are informed and believe that Mr. Bonney
20 is a former resident of the City of Palos Verdes Estates and
21 graduate of PV High School and maintains strong
22 connections to the community. Plaintiffs are informed and
23 believe that Mr. Bonney has information regarding the
24 activities of the Lunada Bay Boys by comments made in
25 social media defending the actions of the Lunada Bay Locals.
26 Mr. Bonney is being listed as a potential percipient witness
27 and possible defendant.

28 23) David Hilton, a longtime resident of Palos Verdes Estates, on

1 the allegations set forth in the Complaint related to Defendant
2 Lunada Bay Boys, the Individual Members of the Lunada Bay
3 Boys and communications with Defendant City of Palos
4 Verdes Estates. Plaintiffs are informed and believe that this
5 witness is a long time surfer of Lunada Bay. It is anticipated
6 that this percipient witness has information regarding: (a)
7 January 22, 1995 incident where a surfer from Brazil
8 (documented in Incident Report 95-0062) went to Lunada Bay
9 to surf and was confronted by David Hilton and several other
10 Bay Boys who made threats of violence against him causing
11 him to reasonably believe that if he exercised his right surf at
12 a public beach, Hilton and/or the Lunada Bay Boys would
13 commit violence against him or his car and that Hilton and/or
14 the Lunada Bay Boys with him had the apparent ability to
15 carry out the threats, (b) the inner workings of the Lunada Bay
16 Boys and the methods to keep non-locals from the beach, (c)
17 illegal activities at Lunada Bay. Mr. Hilton is being listed as a
18 potential percipient witness and possible defendant.

19 24) Eric Hilton, a longtime resident of Palos Verdes Estates, on
20 the allegations set forth in the Complaint related to Defendant
21 Lunada Bay Boys, the Individual Members of the Lunada Bay
22 Boys and communications with Defendant City of Palos
23 Verdes Estates. Plaintiffs are informed and believe that this
24 witness is a long time surfer of Lunada Bay. It is anticipated
25 that this percipient witness has information regarding: (a) the
26 inner workings of the Lunada Bay Boys and the methods to
27 keep non-locals from the beach, (b) illegal activities at Lunada
28 Bay. Mr. Hilton is being listed as a potential percipient witness

1 and possible defendant.

2 25) Kelly Logan, 714 Angelus PI, Venus, CA 90291-4919, on the
3 allegations set forth in the Complaint related to Defendant
4 Lunada Bay Boys and the Individual Members of the Lunada
5 Bay Boys. Plaintiffs are informed and believe that Mr. Logan
6 is a former resident of the City of Palos Verdes Estates but
7 maintains strong connections to the community. Plaintiffs are
8 informed and believe that Mr. Logan was involved in the
9 assault by Peter McCollum against Geoff Hagins and several
10 others reflected in Incident Report 95-0381. Plaintiffs believe
11 that Mr. Logan is a Lunada Bay Local and is being listed as a
12 potential percipient witness and possible defendant.

13 26) John Rall, contact information unknown, on the allegations set
14 forth in the Complaint related to Defendant Lunada Bay Boys
15 and the Individual Members of the Lunada Bay Boys.
16 Plaintiffs are informed and believe that Mr. Rall graduated PV
17 High School 1991 and maintains strong connections to the
18 community. Plaintiffs believe that Mr. Rall is a Lunada Bay
19 Local and is being listed as a potential percipient witness and
20 possible defendant.

21 27) Michael S. Papayans, aka "Paps," a longtime resident of
22 Palos Verdes Estates, on the allegations set forth in the
23 Complaint related to Defendant Lunada Bay Boys, the
24 Individual Members of the Lunada Bay Boys and
25 communications with Defendant City of Palos Verdes Estates.
26 Plaintiffs are informed and believe that he is the uncle of
27 Defendant Michael Rae Papayans. This witness surfs Lunada
28 Bay on a regular basis. It is anticipated that this witness has

1 information regarding: (a) a meeting that he had with Chris
2 Taloa in 2014, (b) the inner workings of the Lunada Bay Boys
3 and the methods to keep non-locals from the beach, (c) illegal
4 activities at Lunada Bay. Plaintiffs believe that Mr. Papayans
5 is a Lunada Bay Local and is being listed as a potential
6 percipient witness and possible defendant.

7 28) Jim Russi, contact information unknown, on the allegations
8 set forth in the Complaint related to Defendant Lunada Bay
9 Boys and the Individual Members of the Lunada Bay Boys.
10 Plaintiffs are informed and believe that Mr. Russi is a former
11 resident of the City of Palos Verdes Estates and maintains
12 strong connections to the community – possibly still owning a
13 home on the cliff above the bay. Plaintiffs are informed and
14 believe and on that basis allege that this witness has
15 information regarding the illegal activities of the Lunada Bay
16 Boys including the Ferraras. While this witness claims to have
17 moved from the area years ago, he has publicly defended the
18 actions of the Lunada Bay Boys. Plaintiffs believe that Mr.
19 Russi is a Lunada Bay Local and is being listed as a potential
20 percipient witness.

21 29) Carlos Anorga, 4040 Spencer St., Suite J, Torrance, CA
22 90503; (310) 371-7762, on the allegations set forth in the
23 Complaint related to Defendant Lunada Bay Boys and the
24 Individual Members of the Lunada Bay Boys. Plaintiffs
25 consider this person a longtime Lunada Bay local surfer and
26 potentially and is listed as a possible percipient witness.

27 30) Zen Del Rio, contact information unknown, on the allegations
28 set forth in the Complaint related to Defendant Lunada Bay

1 Boys and the Individual Members of the Lunada Bay Boys.
2 Plaintiffs consider this person a longtime Lunda Bay local and
3 potentially and is listed as a possible percipient witness.
4 31) Mark Koehler, address unknown, (808) 639-1668, on the
5 allegations set forth in the Complaint related to Defendant
6 Lunada Bay Boys and the Individual Members of the Lunada
7 Bay Boys. Plaintiffs believe that Mr. Koehler is a Lunada Bay
8 Local and is being listed as a potential percipient witness
9 32) Chad Beatty, 1104 S. Juanita Ave., Redondo Beach, CA
10 90277, on the allegations set forth in the Complaint related to
11 Defendant Lunada Bay Boys and the Individual Members of
12 the Lunada Bay Boys. This person has been surfing Lunada
13 Bay for years and is listed as a possible percipient witness. At
14 this time, Plaintiffs do not have any specific information
15 regarding this witness.
16 33) Joe Bark, address unknown; (310) 429-2463, on the
17 allegations set forth in the Complaint related to Defendant
18 Lunada Bay Boys and the Individual Members of the Lunada
19 Bay Boys. Plaintiffs believe that Mr. Bark is a Lunada Bay
20 Local and is being listed as a potential percipient witness.
21 Specifically, Plaintiffs believe and anticipate that Mr. Bark will
22 be able to testify to the following: (a) having surfed Lunada
23 Bay since at least 1980, the surfing ability of each named
24 Defendant, (b) as a world known waterman and surfboard and
25 paddleboard maker, the specific dangers related to surfing
26 Lunada Bay, (c) the types of equipment needed to safely surf
27 Lunada Bay during different types of surfing conditions, (d)
28 illegal activities of the Lunada Bay Boys.

1 34) Jason Buck, contact information unknown, on the allegations
2 set forth in the Complaint related to Defendant Lunada Bay
3 Boys and the Individual Members of the Lunada Bay Boys.
4 This person has been surfing Lunada Bay for years and is
5 listed as a possible percipient witness. At this time, Plaintiffs
6 do not have any specific information regarding this witness.
7 Plaintiffs believe that Mr. Buck is a Lunada Bay Local and is
8 being listed as a potential percipient witness.

9 35) Tony Pazanowski, contact information unknown. Plaintiffs are
10 informed and believe that Mr. Pazanowski was a former
11 resident of the City of Palos Verdes Estates having graduated
12 PV High School and maintains strong connections to the
13 community. Several people have reported that this witness
14 surfs the Bay and has posted comments in social media
15 supporting Lunada Bay localism. Plaintiffs are listing Mr.
16 Pazanowski as a potential percipient witness.

17 36) Derek Daigneault, contact information unknown, on the
18 allegations set forth in the Complaint related to Defendant
19 Lunada Bay Boys and the Individual Members of the Lunada
20 Bay Boys. Plaintiffs are listing Mr. Daigneault as a potential
21 percipient witness.

22 37) Daniel Dreiling Jr., contact information unknown, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys. Plaintiffs are informed and believe that this witness
26 is the son of the former Chief of Police for Palos Verdes
27 Estates and because of his father's job was permitted to surf
28 Lunada Bay. Plaintiffs are informed and believe that Mr.

1 Dreiling built at least one knee board for Defendant Brant
2 Blakeman. Mr. Dreiling is being listed as a potential percipient
3 witness.

4 38) Danny Ecker, contact information unknown, on the allegations
5 set forth in the Complaint related to Defendant Lunada Bay
6 Boys and the Individual Members of the Lunada Bay Boys.
7 Plaintiffs are informed and believe that this person grew up in
8 Palos Verdes Estates and surfed Lunada Bay for years and is
9 listed as a possible percipient witness. At this time, Plaintiffs
10 do not have any specific information regarding this witness.
11 Plaintiffs believe that Mr. Ecker is being listed as a potential
12 percipient witness.

13 39) Pat Ecker, contact information unknown, on the allegations
14 set forth in the Complaint related to Defendant Lunada Bay
15 Boys and the Individual Members of the Lunada Bay Boys.
16 This person has been surfing Lunada Bay for years and is
17 listed as a possible percipient witness. At this time, Plaintiffs
18 do not have any specific information regarding this witness.
19 Plaintiffs believe that Mr. Ecker is being listed as a potential
20 percipient witness.

21 40) Greg Cahill, contact information unknown, on the allegations
22 set forth in the Complaint related to Defendant Lunada Bay
23 Boys and the Individual Members of the Lunada Bay Boys.
24 Plaintiffs were contacted by a witness that stated that Mr.
25 Cahill was one of a group of Bay Boys that approached him
26 on top of the bluff while he was attempting to surf Lunada Bay
27 and threatened him with violence and damage to his car when
28 if he went down the trail. Mr. Cahill is being listed as a

1 percipient witness and possible defendant.

2 41) Alex Hooks, contact information unknown, on the allegations
3 set forth in the Complaint related to Defendant Lunada Bay
4 Boys and the Individual Members of the Lunada Bay Boys. At
5 this time, Plaintiffs do not have any specific information
6 regarding this witness. Plaintiffs believe that Mr. Hooks may
7 surf the bay and is being listed as a potential percipient
8 witness.

9 42) Alex Gray, contact information unknown, on the allegations
10 set forth in the Complaint related to Defendant Lunada Bay
11 Boys and the Individual Members of the Lunada Bay Boys.

12 43) Leonora Beukema, 2817 Palos Verdes Dr., Palos Verdes
13 Estates, CA 90274, on the allegations set forth in the
14 Complaint related to Defendant Lunada Bay Boys and the
15 Individual Members of the Lunada Bay Boys. Plaintiffs are
16 informed and believe that Ms. Beukema is married to
17 Defendant Angelo Ferrara and anticipate that she will testify
18 related to the following: (a) the inner workings of the Lunada
19 Bay Boys and the methods to keep non-locals from the
20 beach; (b) her son, Anthony Beukema's, activities in the
21 Lunada Bay Boys, (c) illegal activities at Lunada Bay, (d)
22 statements she made to the Daily Breeze regarding the
23 January 20, 2014 incident, at a public surfing event at Lunada
24 on Martin Luther King, Jr. Day, where a Lunada Bay Boy that
25 had his face painted in black makeup and wore a black Afro
26 wig left her house to go to the event. Plaintiffs' list this
27 witness as a percipient witness.

28 44) Jordan Wright, can be contacted through Plaintiffs' counsel,

1 on the subjects set forth in the Complaint, to which he was a
2 percipient witness. Specifically, Mr. Wright is expected to
3 testify regarding several incidents that he has had with
4 Individual members of the Lunada Bay Boys over the 2 – 3
5 years that he has attempted surf the break, including but not
6 limited to the following: (a) being assaulted on January 29,
7 2016 by David Melo, (b) February 13, 2016 incident with
8 Plaintiff Diana Reed, (c) other incidents when he attempted to
9 surf Lunada Bay.

10 45) Gavin Heaney, can be contacted through Plaintiffs' counsel,
11 on the allegations set forth in the Complaint related to
12 Defendant Lunada Bay Boys and the Individual Members of
13 the Lunada Bay Boys. It is anticipated that Mr. Heaney will
14 testify that he was denied entrance to Lunada Bay on top of
15 the bluff while attempting to surf there by six or more Bay
16 Boys who threatened him with violence and damage to his
17 property if he went down the trail. Fearing for his safety, he
18 quickly left the area. It is further anticipated this witness will
19 testify that Greg Cahill was one of the people who threatened
20 him.

21 46) Tyler Canali, can be contacted through Plaintiffs' counsel, on
22 the allegations set forth in the Complaint related to Defendant
23 Lunada Bay Boys and the Individual Members of the Lunada
24 Bay Boys. Canali will testify that he is not from Palos Verdes
25 Estates. It is anticipated that he will testify that was hassled
26 the whole way out by the Lunada Bay Boys. They kept telling
27 him "Don't bother going out, you're not going to get a wave."
28 He will state that the Individual Bay Boys cut him off on every

1 wave. He will further testify that Individual Bay Boys
2 surrounded him in the water in an effort to intimidate him.
3 They were as close as they could be, no one saying a word,
4 just staring him down. Eventually Canali made his way to
5 shore, where more hecklers awaited. They called him a "kook"
6 told him to leave.

7 47) Jimmy Conn, can be contacted through Plaintiffs' counsel, on
8 the allegations set forth in the Complaint related to Defendant
9 Lunada Bay Boys and the Individual Members of the Lunada
10 Bay Boys. Specifically, it is anticipated that this witness will
11 testify that he started surfing Lunada Bay around 1976 on
12 really big swells. Because most of the locals are not good
13 surfers, they would not be in the water when he surfed but
14 would still threaten, harass and throw rocks at him. On one
15 occasion, he was hit by a rock and needed 17 stiches in his
16 lip. He still has the scar.

17 48) Daniel Dorn, can be contacted through Plaintiffs' counsel, on
18 the allegations set forth in the Complaint related to Defendant
19 Lunada Bay Boys and the Individual Members of the Lunada
20 Bay Boys. It is anticipated that Mr. Dorn will testify that he is a
21 semiprofessional body boarder from Redondo Beach and that
22 he had never surfed Lunada Bay for fear of violence. He
23 attended one of Taloa's surfing events at Lunada Bay
24 because he felt it would be safe. It is anticipated that he will
25 testify even though the police where present they would not
26 tell him if it was safe. Upon greeting the pack with a hello, he
27 was assailed by profanities and threats. He will testify that a
28 Bay Boy in a kayak told him to leave and threatened him. It is

1 anticipated that Dorn will testify that Individual Bay Boys
2 dropped in on him and tried to run him over with their
3 surfboards until he left.

4 49) Derek Ellis, can be contacted through counsel, on the
5 allegations set forth in the Complaint related to Defendant
6 Lunada Bay Boys and the Individual Members of the Lunada
7 Bay Boys.

8 50) Geoff Hagins, can be contacted through Plaintiffs' counsel, on
9 the allegations set forth in the Complaint related to Defendant
10 Lunada Bay Boys and the Individual Members of the Lunada
11 Bay Boys. Geoff Hagins, John Hagin, Mike Bernard, Mike
12 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
13 by Peter McCollum and several other Bay Boys as reflected in
14 Incident Report 95-0381.

15 51) John Hagins, contact information unknown, on the allegations
16 set forth in the Complaint related to Defendant Lunada Bay
17 Boys and the Individual Members of the Lunada Bay Boys.
18 Geoff Hagins, John Hagin, Mike Bernard, Mike Bernard, Jr,
19 Charlie Rigano and Doug Disanti were accosted by Peter
20 McCollum and several other Bay Boys as reflected in Incident
21 Report 95-0381.

22 52) Mike Bernard, contact information unknown, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys. Geoff Hagins, John Hagin, Mike Bernard, Mike
26 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
27 by Peter McCollum and several other Bay Boys as reflected in
28 Incident Report 95-0381.

1 53) Mike Bernard, Jr. contact information unknown, on the
2 allegations set forth in the Complaint related to Defendant
3 Lunada Bay Boys and the Individual Members of the Lunada
4 Bay Boys. Geoff Hagins, John Hagin, Mike Bernard, Mike
5 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
6 by Peter McCollum and several other Bay Boys as reflected in
7 Incident Report 95-0381.

8 54) Charlie Rigano, contact information unknown, on the
9 allegations set forth in the Complaint related to Defendant
10 Lunada Bay Boys and the Individual Members of the Lunada
11 Bay Boys. Geoff Hagins, John Hagin, Mike Bernard, Mike
12 Bernard, Jr, Charlie Rigano and Doug Disanti were accosted
13 by Peter McCollum and several other Bay Boys as reflected in
14 Incident Report 95-0381.

15 55) Doug Disanti, contact information unknown, on the allegations
16 set forth in the Complaint related to Defendant Lunada Bay
17 Boys and the Individual Members of the Lunada Bay Boys.
18 Geoff Hagins, John Hagin, Mike Bernard, Mike Bernard, Jr,
19 Charlie Rigano and Doug Disanti were accosted by Peter
20 McCollum and several other Bay Boys as reflected in Incident
21 Report 95-0381.

22 56) Kurt Stanphenhorst, contact information unknown, on the
23 allegations set forth in the Complaint related to Defendant
24 Lunada Bay Boys and the Individual Members of the Lunada
25 Bay Boys. It is anticipated that this witness will testify that Got
26 shot at with a pellet gun by an Individual Bay Boy.

27 57) Randy Clark, contact information unknown, on the allegations
28 set forth in the Complaint related to Defendant Lunada Bay

1 Boys and the Individual Members of the Lunada Bay Boys.

2 58) John Innis, can be contracted through Plaintiffs' counsel, on

3 the allegations set forth in the Complaint related to Defendant

4 Lunada Bay Boys and the Individual Members of the Lunada

5 Bay Boys. This witness will testify that he was while trying to

6 take photographs. He made a police report but nothing came

7 of it.

8 59) Trish Laurie, contact information unknown, on the allegations

9 set forth in the Complaint related to Defendant Lunada Bay

10 Boys and the Individual Members of the Lunada Bay Boys. It

11 is anticipated that Ms. Laurie will testify that she was sexually

12 harassed/assaulted at Lunada Bay. It is anticipated that she

13 will say that certain individuals dropped "dropped their towels

14 and jerked off to her." Ms. Laurie is being listed as a possible

15 percipient witness.

16 60) Ken Claypool, can be contacted through Plaintiffs' counsel, on

17 the allegations set forth in the Complaint related to Defendant

18 Lunada Bay Boys and the Individual Members of the Lunada

19 Bay Boys. This witness will testify about several incidents of

20 harassment at Lunada Bay involving Individuals such as

21 Brant Blakeman and possibly one or more of the Ferraras.

22 61) Tom Wilson, contact information unknown, on the allegations

23 set forth in the Complaint related to Defendant Lunada Bay

24 Boys and the Individual Members of the Lunada Bay Boys.

25 62) Martin Tueling, contact information unknown, on the

26 allegations set forth in the Complaint related to Defendant

27 Lunada Bay Boys and the Individual Members of the Lunada

28 Bay Boys.

1 63) Bernie Mann, contact information unknown, on the allegations
2 set forth in the Complaint related to Defendant Lunada Bay
3 Boys and the Individual Members of the Lunada Bay Boys.

4 64) Dr. Stephen Young, can be contacted through Plaintiffs'
5 counsel, on the allegations set forth in the Complaint related
6 to Defendant Lunada Bay Boys and the Individual Members
7 of the Lunada Bay Boys. It is anticipated that Dr. Stephen
8 Young will testify that while attending Medical school he tried
9 many times to enjoy the break at Lunada Bay and on every
10 occasion I was bullied to leave the area. He will testify that his
11 vehicle was damaged many times which included slashed
12 tires, scratches on the painted surfaces and broken windows.
13 He will testify that there was a few occasions that he feared
14 for my life. He will state that he filed a police report but
15 nothing was done.

16 65) Hagan Kelly, contact information unknown, on the allegations
17 set forth in the Complaint related to Defendant Lunada Bay
18 Boys and the Individual Members of the Lunada Bay Boys.

19 66) Sef Krell, may be contacted through Plaintiffs' counsel, on the
20 allegations set forth in the Complaint related to Defendant
21 Lunada Bay Boys and the Individual Members of the Lunada
22 Bay Boys. Specifically, related to the incident that occurred on
23 or around November 15, 2014.

24 67) Alan Haven, can be contacted through Plaintiffs' counsel, on
25 the allegations set forth in the Complaint related to Defendant
26 Lunada Bay Boys and the Individual Members of the Lunada
27 Bay Boys. Mr. Haven is a resident of Palos Verdes Estates
28 and will testify regarding the video of an assault that he took

1 on October 10, 2015.

2 68) Daniel R. Jongeward, can be contacted through Plaintiffs'
3 counsel, on the allegations set forth in the Complaint related
4 to Defendant Lunada Bay Boys and the Individual Members
5 of the Lunada Bay Boys. Specifically, it is anticipated that Mr.
6 Jongeward will testify that: (a) he is not a resident of Palos
7 Verdes Estates, (b) he was a big surfer but rides longboards
8 and guns, (c) he has attempted to surf Lunada Bay on several
9 occasions. Because of the reputation, he went alone and
10 early in the morning. He has had dirt clogs and rocks thrown
11 at him. He has been physically threatened. People threatened
12 to vandalize his car. Because he believes that the Lunada
13 Bay Boys have the ability to physically harm him and his
14 property he made the decision not to return.

15 69) Patrick Landon, contact information unknown, on the
16 allegations set forth in the Complaint related to Defendant
17 Lunada Bay Boys and the Individual Members of the Lunada
18 Bay Boys.

19 70) Frank Netto, can be contacted through Plaintiffs' counsel, on
20 the allegations set forth in the Complaint related to Defendant
21 Lunada Bay Boys and the Individual Members of the Lunada
22 Bay Boys.

23 71) Randy Miestrell, contact information unknown, on the
24 allegations set forth in the Complaint related to Defendant
25 Lunada Bay Boys and the Individual Members of the Lunada
26 Bay Boys. This witness has been quoted in numerus articles
27 over the years and is listed as a possible percipient witness.

28 72) Sharlean Perez, can be contacted through Plaintiffs' counsel,

1 on the allegations set forth in the Complaint related to
2 Defendant Lunada Bay Boys and the Individual Members of
3 the Lunada Bay Boys. It is anticipated that this witness will
4 testify that she and her boyfriend tried to hike down the trail to
5 Lunada Bay and people started throwing glass bottles "near"
6 and "around" them. She and her boyfriend at the time were
7 not from PVE.

8 73) Charles Michael Pinkerton, can be contacted through
9 Plaintiffs' counsel, on the allegations set forth in the
10 Complaint related to Defendant Lunada Bay Boys and the
11 Individual Members of the Lunada Bay Boys. It is anticipated
12 that Mr. Pinkerton will testify that he is an aerospace engineer
13 with a Masters Degree that he has made several attempts to
14 surf Lunada Bay. He will state that he has been harassed
15 (verbal harassments, threats of violence, to throw things in the
16 water). He has had all four tires flattened, his windows waxed;
17 his backpack thrown in the water while he was out surfing.

18 74) Mike Purpus, contact information unknown, on the allegations
19 set forth in the Complaint related to Defendant Lunada Bay
20 Boys and the Individual Members of The Lunada Bay Boys.
21 This witness is a former professional surfer who has written
22 articles about localism at Lunada Bay and is listed as a
23 possible percipient witness.

24 75) Mike Stevens, Los Angeles County District Attorney's Office,
25 210 West Temple Street, Los Angeles, CA 90012, on the
26 allegations set forth in the Complaint related to Defendant
27 Lunada Bay Boys and the Individual Members of the Lunada
28 Bay Boys. Plaintiffs have been informed that Mr. Stevens is

1 an investigator with the Los Angeles District Attorney's Office
2 and that he was hassled by the Bay Boys when attempting to
3 surf Lunada Bay. Neither Plaintiffs nor their attorneys have
4 spoken directly with Mr. Stevens. He is listed as a possible
5 percipient witness.

6 76) Christopher Taloa, can be contacted through Plaintiffs'
7 counsel, on the allegations set forth in the Complaint related
8 to Defendant Lunada Bay Boys and the Individual Members
9 of the Lunada Bay Boys. Specifically, it is anticipated that Mr.
10 Taloa will testify regarding several incidents.

11 77) John MacHarg, can be contacted through Plaintiffs' counsel.
12 Plaintiffs anticipate that Mr. MacHard will testify that while
13 visiting Lunada Bay on Feburary 1, 2016 he was standing just
14 under the patio on the rocks and Defendant Sang Lee (local
15 surfer/enforcer) who was standing on top of the patio poured
16 out a portion of the beer he was holding on to his head. This
17 happened right in front two officers that were standing 6 feet
18 to his right.

19 78) Tim Tindall, can be contacted through Plaintiffs' counsel, on
20 the allegations set forth in the Complaint related to Defendant
21 Lunada Bay Boys and the Individual Members of the Lunada
22 Bay Boys. It is anticipated that Mr. Tindell will testify about
23 being harassed while attempting to body board Wally's.

24 79) Rory Carroll, contact information unknown, on the allegations
25 set forth in the Complaint related to Defendant Lunada Bay
26 Boys and the Individual Members of the Lunada Bay Boys.
27 Specifically, Mr. Carroll is expected to testify regarding the
28 contents of the

1 video:<https://www.theguardian.com/travel/video/2015/may/18/california-surf-wars-lunada-bay-localism-video>

2

3 80) Noah Smith, contact information unknown, on the allegations

4 set forth in the Complaint related to Defendant Lunada Bay

5 Boys and the Individual Members of the Lunada Bay Boys.

6 Specifically, Mr. Carroll is expected to testify regarding the

7 contents of the video:

8 <https://www.theguardian.com/travel/video/2015/may/18/california-surf-wars-lunada-bay-localism-video>

9

10 81) Josh Bernstein, contact information unknown, on the subject of

11 the declaration submitted to the California Coastal

12 Commission regarding trail access.

13 82) Karl R. Bingemann, contact information unknown, on the

14 subject of the declaration submitted to the California Coastal

15 Commission regarding trail access.

16 83) William C. Brand, contact information unknown, on the subject

17 of the declaration submitted to the California Coastal

18 Commission regarding trail access.

19 84) Kurt Buettgenbach, contact information unknown, on the

20 subject of the declaration submitted to the California Coastal

21 Commission regarding trail access.

22 85) Sean Criss, contact information unknown, on the subject of

23 the declaration submitted to the California Coastal

24 Commission regarding trail access.

25 86) Douglas Leach, contact information unknown, on the subject

26 of the declaration submitted to the California Coastal

27 Commission regarding trail access.

28 87) Ian McDonald, contact information unknown, on the subject of

1 the declaration submitted to the California Coastal
2 Commission regarding trail access.

3 88) John R. McGrath, Jr., contact information unknown, on the
4 subject of the declaration submitted to the California Coastal
5 Commission regarding trail access.

6 89) Colin McNany, contact information unknown, on the subject of
7 the declaration submitted to the California Coastal
8 Commission regarding trail access.

9 90) Bruce V. Rorty, contact information unknown, on the subject
10 of the declaration submitted to the California Coastal
11 Commission regarding trail access.

12 91) Officers R. Castro / C. Simon, presumably can be contacted
13 through counsel for the City, on the subject regarding Officer
14 Report for Incident 12-11606.

15 92) Officers Helinga / Wulf, presumably can be contacted through
16 counsel for the City, on the subject regarding Officer Report
17 for Incident 11-10919.

18 93) Officer Shinowsky, presumably can be contacted through
19 counsel for the City, on the subject regarding Officer Report
20 for Incident 95-0297.

21 94) Officer Belcher, presumably can be contacted through
22 counsel for the City, on the subject regarding Officer Report
23 for Incidents 95-0281, 95-0381.

24 95) Officers Velez / John C. Eberhard / Denise L. Allen,
25 presumably can be contacted counsel for the City, on the
26 subject regarding Officer Report(s) for Incidents 95-0418 and
27 97-0042.

28 96) Officers Denice L. Allen / John C. Eberhard / Steven N.

1 Barber, presumably can be contacted through counsel for the
2 City, on the subject regarding Officer Report for Incident 97-
3 0047.

4 97) Officers Richard J. Delmont / Patrick L. Hite, can presumably
5 be contacted through counsel for the City, on the subject
6 regarding Officer Report for Incident 98-0301.

7 98) Officers Cecilia T. Nguyen / Mark A. Velez / Valerie S. Hite,
8 can presumably be contacted through counsel for the City, on
9 the subject regarding Officer Report for Incident 99-0042.

10 99) Officers E. Gaunt / C. Reed, presumably can be contacted
11 through counsel for the City, on the subject regarding Officer
12 Report for Incident 09-00575.

13 100) Officers E. Gaunt / C. Reed, presumably can be contacted
14 through counsel for the City, on the subject regarding Officer
15 Report for Incident 09-00562.

16 101) Officers B. Hernandez / R. Venegas, presumably can be
17 contacted through counsel for the City, on the subject
18 regarding Officer Report for Incident 09-00693.

19 102) Officer B. Hernandez, presumably can be contacted through
20 counsel for the City, on the subject regarding Officer
21 Report for Incident 09-10183.

22 103) Officers L. Tejada / R. Delmont, presumably can be contacted
23 through counsel for the City, on the subject regarding Officer
24 Report for Incident 09-08872.

25 104) Officers C. Eberhard / S. Tomlins, presumably can be
26 contacted through counsel for the City, on the subject
27 regarding Officer Report for Incident 10-00265.

28 105) Officers B. Hernandez / C. Reed, presumably can be

1 contacted through counsel for the City, on the subject
2 regarding Officer Report for Incident 10-02408.

3 B. Documents

4 In accordance with F.R.C.P. 26(a)(1)(A)(ii), Plaintiffs identify the
5 following categories of documents in their possession, custody or control:

6 | Police Reports:

7 1. Palos Verdes Estates Police Department, Officer Report for
8 Incident 16-01360, dated 1/22/95.
9 2. Palos Verdes Estates Police Department, Officer Report for
10 Incident 95-0219/0381, dated 3/13/95.
11 3. Palos Verdes Estates Police Department, Officer Report for
12 Incident 95-0297, dated 4/5/95.
13 4. Palos Verdes Estates Police Department, Officer Report for
14 Incident 95-0381, dated 4/26/95.
15 5. Palos Verdes Estates Police Department, Officer Report for
16 Incident 95-0381, dated 3/14/95.
17 6. Palos Verdes Estates Police Department, Officer Report for
18 Incident 95-0418, dated 5/7/95.
19 7. Palos Verdes Estates Police Department, Officer Report for
20 Incident 96-1037, dated 12/18/96.
21 8. Palos Verdes Estates Police Department, Officer Report for
22 Incident 97-0002, dated 1/1/97.
23 9. Palos Verdes Estates Police Department, Officer Report for
24 Incident 97-0042, dated 1/18/97.
25 10. Palos Verdes Estates Police Department, Officer Report for
26 Incident 97-0047, dated 1/19/97.
27 11. Palos Verdes Estates Police Department, Officer Report for
28 Incident 98-0301, dated 5/02/98.

12. Palos Verdes Estates Police Department, Officer Report for
2 Incident 99-0042, dated 1/16/99.
13. Palos Verdes Estates Police Department, Officer Report for
4 Incident 99-0077, dated 1/24/99.
14. Palos Verdes Estates Police Department, Officer Report for
6 Incident 09-00562, dated 1/19/09.
15. Palos Verdes Estates Police Department, Officer Report for
8 Incident 09-00693, dated 1/24/09.
16. Palos Verdes Estates Police Department, Officer Report for
10 Incident 09-08872, dated 10/15/09.
17. Palos Verdes Estates Police Department, Officer Report for
12 Incident 09-10183, dated 11/28/09. – Sang Lee
18. Palos Verdes Estates Police Department, Officer Report for
14 Incident 10-00265, dated 1/10/10.
19. Palos Verdes Estates Police Department, Officer Report for
16 Incident 10-02408, dated 3/23/10.
20. Palos Verdes Estates Police Department, Officer Report for
18 Incident 11-10919, dated 12/25/11.
21. Palos Verdes Estates Police Department, Officer Report for
20 Incident 12-11606, dated 11/03/12.
22. Palos Verdes Estates Police Department, Officer Report for
22 Incident 16-0136, dated 1/29/16.

23 Photos:

24. All photos attached as exhibits to the Complaint.
25. All photos attached as exhibits to the State Action BC629596.
26. Photographs of Lunada Bay taken in August 2015 and provided
27 to Plaintiffs by City of Palos Verdes Estates in response to Public
28 Records Act Request, Bates Nos. 1128-1151,1267-1300.

1 Correspondence:

2 26. Letter undated from Jim Russi to Ed Jaakola.

3 27. Letter dated January 21, 2016, from Jordan Sanchez of the

4 California Coastal Commission to Jeff Kepley of the Palos

5 Verdes Police Department.

6 28. Letter dated June 6, 2016, from Mr. Sanchez of the California

7 Coastal Commission to City Manager Anton Dahlerbruch.

8 29. Letter dated June 7, 2016, from City Manager Dahlerbruch to Mr.

9 Sanchez.

10 30. July 12, 2016 Sheri Repp-Loadsmann, Deputy City

11 Manager/Planning and Building Director issued a Memorandum

12 to the City's Mayor and City Council.

13 31. Email chain dated April 4, 2016 between John MacHarg and

14 Mark Velez.

15 32. Memo dated 12/31/15 from Chief Jeff Kepley' re PVE Surfing

16 Localism in The Media This Week.

17 33. Memorandum from Anton Dahlerbruch to Honorable Mayor and

18 City Council dated January 22, 2016, Subject City Managers

19 Report for January 18- January 22, 2016.

20 34. Memorandum from Anton Dahlerbruch to Honorable Mayor and

21 City Council dated January 29, 2016, Subject City Managers

22 Report for January 25- January 29, 2016.

23 35. Memorandum from Anton Dahlerbruch to Honorable Mayor and

24 City Council dated March 25, 2016, Subject City Managers

25 Report for March 21 - March 25, 2016.

26 36. Letter dated January 12, 2016 from Resident to Jeff Kepley.

27 37. Letter to Surfer Magazine from Frank Ferarra entitled "Today's

28 Lesson Don't Be A Kook.

1 Videos:

2 38. Defendant Sang Lee and other Bay Boys caught on video.
3 [https://www.theguardian.com/travel/video/2015/may/18/california](https://www.theguardian.com/travel/video/2015/may/18/california-surf-wars-lunada-bay-localism-video)
4 -surf-wars-lunada-bay-localism-video

5 39. Peter McCollum assaults Jeff Hagins, John Hagins, Vietnam
6 combat vet Mike Bernard and his son for surfing the public beach
7 telling them, among other things, "you won't come back here
8 again boy".
9 <https://www.youtube.com/watch?v=J1Ms0ktOaZs>

10 40. Defendant Michael Papayans - blocking access to the public
11 beach: <https://vimeo.com/88394493>

12 41. MLK harassment - <https://vimeo.com/85025465>

13 42. Video of David Melo harassing Diana Milena Reed and Jordan
14 Wright and attempting to block their access to public beach
15 taken on 1/29/16.

16 43. Video of Hank Harper attempting to intimidate Diana Milena
17 Reed and her attorney while being interviewed by the media.

18 44. The Swell Life, (2001), interview of former Chief of Police Tim
19 Browne.

20 45. Video taken by Alan Haven on 10-10-16 of six males on the cliffs
21 edge that overlooks Lunada Bay.

22 C. **Damages**

23 A Computation of Damages Claimed by Plaintiff Under Fed. R. Civ. P.

24 26(a)(1)(A)(iii)

25 This case is primarily about broad, class-wide injunctive and
26 declaratory relief necessary to redress group-wide injury to visiting
27 beachgoers whom Defendants are denying access to Lunada Bay, whereby
28 a single injunction or declaratory judgment will provide relief to each member

1 of the class. In addition to equitable relief, on behalf of themselves and the
2 putative class, Plaintiffs Cory Spencer and Diana Milena Read seek uniform
3 and formulaic damages that are incidental to the requested equitable relief.
4 This includes damages under Civil Code section 52 and 52.1(b). Plaintiffs do
5 not have sufficient information at this time to provide an accurate estimate of
6 the incidental damages, however, such amount is to be determined at trial.

7 Plaintiffs also seek attorneys' fees, costs, and interest pursuant to Cal.
8 Civ. Code §§ 52.1 and 1021.5, 42 U.S.C. § 1983, and any other statute or
9 rule of law authorizing such an award.

10 At this early stage of discovery, however, Plaintiffs are unable to
11 provide a full computation of damages they will be seeking.

12 **D. Insurance**

13 Not applicable.

14 **E. Certification**

15 To the best of my knowledge, information, and belief, formed after an
16 inquiry that is reasonable under the circumstances, this disclosure is
17 complete and correct as of the time it is made.

18
19 DATED: October 2, 2016

HANSON BRIDGETT LLP

20

21

Bv: /s/ Kurt A. Franklin

22 KURT A. FRANKLIN
23 SAMANTHA D. WOLFF
24 CAROLINE ELIZABETH LEE
25 TYSON M. SHOWER
26 LANDON D. BAILEY
27 Attorneys for Plaintiffs
28 CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

1 OTTEN LAW, PC
2 DATED: October 2, 2016
3
4
5 Bv: /s/Victor Otten
6 VICTOR OTTEN
7 KAVITA TEKCHANDANI
8 Attorneys for Plaintiffs
9 CORY SPENCER, DIANA MILENA
10 REED, and COASTAL PROTECTION
11 RANGERS, INC.
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EXHIBIT D

1 HANSON BRIDGETT LLP
2 KURT A. FRANKLIN, SBN 172715
3 kfranklin@hansonbridgett.com
4 SAMANTHA WOLFF, SBN 240280
5 swolff@hansonbridgett.com
6 CAROLINE LEE, SBN 293297
7 clee@hansonbridgett.com
8 425 Market Street, 26th Floor
9 San Francisco, California 94105
10 Telephone: (415) 777-3200
11 Facsimile: (415) 541-9366

12 HANSON BRIDGETT LLP
13 TYSON M. SHOWER, SBN 190375
14 tshower@hansonbridgett.com
15 LANDON D. BAILEY, SBN 240236
16 lbailey@hansonbridgett.com
17 500 Capitol Mall, Suite 1500
18 Sacramento, California 95814
19 Telephone: (916) 442-3333
20 Facsimile: (916) 442-2348

21 OTTEN LAW, PC
22 VICTOR OTTEN, SBN 165800
23 vic@ottenlawpc.com
24 KAVITA TEKCHANDANI, SBN 234873
25 kavita@ottenlawpc.com
26 3620 Pacific Coast Highway, #100
27 Torrance, California 90505
28 Telephone: (310) 378-8533
Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs
18 CORY SPENCER, DIANA MILENA
19 REED, and COASTAL PROTECTION
20 RANGERS, INC.

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23
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1 CORY SPENCER, an individual;
2 DIANA MILENA REED, an
individual; and COASTAL
3 PROTECTION RANGERS, INC., a
California non-profit public benefit
4 corporation,

5 Plaintiffs,

6 v.

7
8 LUNADA BAY BOYS; THE
9 INDIVIDUAL MEMBERS OF THE
10 LUNADA BAY BOYS, including but
not limited to SANG LEE, BRANT
11 BLAKEMAN, ALAN JOHNSTON
AKA JALIAN JOHNSTON,
12 MICHAEL RAE PAPAYANS,
ANGELO FERRARA, FRANK
13 FERRARA, CHARLIE FERRARA,
and N.F.; CITY OF PALOS
14 VERDES ESTATES; CHIEF OF
POLICE JEFF KEPLEY, in his
15 representative capacity; and DOES
16 1-10,
17

18 Defendants.

19
20
21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD

22 Please take notice that on Tuesday, October 18, 2016 at 9:00 a.m.,
23 Plaintiffs, Cory Spencer, Diana Milena Reed, and the Coastal Protection
24 Rangers, Inc. ("Plaintiffs") will take the deposition of Brant Blakeman at
25 Sousa Court Reporters, 736 4th Street, Hermosa Beach, CA 90254,
26 California. The deposition will be taken from day to day thereafter until
27 completed.

28 NOTICE IS FURTHER GIVEN that the deposing party intends to

CASE NO. 2:16-cv-02129-SJO (RAOx)

**PLAINTIFFS' NOTICE OF
DEPOSITION OF BRANT
BLAKEMAN**

Date: October 18, 2016
Time: 9:00 a.m.
Place: Sousa Court Reporters
736 4th Street
Hermosa Beach, CA 90254

1 cause the proceedings to be recorded stenographically through the instant
2 visual display of the testimony and will also be recorded by videotape and
3 audiotape.

4 Dated: October 10, 2016

5 HANSON BRIDGETT LLP
BY: _____

6
7 KURT A. FRANKLIN
8 TYSON M. SHOWER
9 SAMANTHA D. WOLFF
10 LANDON D. BAILEY
11 CAROLINE E. LEE
12 Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECT-
ION RANGERS INC.

13 DATED: October 10, 2016

14 BY: OTTEN LAW, PC

15
16 /s/Victor Otten
17 VICTOR OTTEN
18 KAVITA TEKCHANDANI
19 Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL
PROTECTION RANGERS, INC.

PROOF OF SERVICE

Spencer, et al. v. Lunada Bay boys, et al.;
USDV, Central District of California, Case No. 2:16-cv-02129-SJO
(RAOx)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party of this action. I am employed in the county of Los Angeles, State of California. My business Address is 3620 Pacific Coast Highway, Suite 100, Torrance CA 90505.

On October 10, 2016 I served true copies of the following document(s) Described as **PLAINTIFFS' NOTICE OF DEPOSITION OF BRANT BLAKEMAN** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is places for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

BY EMAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address _____ to the persons at the email addresses listed in the Service List. The document(s) were transmitted at approximately 3:20 p.m. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct

Executed on October 10, 2016, at Torrance, California.

/s/ Kavita Tekchandani
Kavita Tekchandani

List of Counsel in *Spencer, et al. v. Lumada Bay Boys, et al.*
Refiled Case
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Case Oct 15, 2016

Plaintiffs CORY SPENCER, DIANA MILENA REED, and COASTAL PROTECTION RANGERS, INC.	<p>Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGEITT LLP 425 Market Street, 26th Floor San Francisco, CA 94105 Telephone: (415) 777-3200 Facsimile: (415) 541-9366</p> <p>KfFranklin@hansonbridgeitt.com swolff@hansonbridgeitt.com cle@hansonbridgeitt.com</p> <p>Tyson M. Shower, Esq. Landon Bailey, Esq. HANSON BRIDGEITT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814 Telephone: (916) 442-3333 Facsimile: (916) 442-2348</p> <p>tshower@hansonbridgeitt.com lbailey@hansonbridgeitt.com</p> <p>Victor Otten, Esq. Kavita Tekchandani, Esq. OTTEN LAW, PC 3620 Pacific Coast Highway, #100 Torrance, CA 90505 Telephone: (310) 378-8533 Facsimile: (310) 347-4225</p> <p>vic@ottenlawpc.com kavita@ottenlawpc.com</p>
--	---

List of Counsel in *Spencer, et al. v. Lunada Bay Boys, et al.*

Federal Court Case

U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Defendant LUNADA BAY BOYS		
Defendant SANGLEE	Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tera Lutz, Esq. LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5th Street, Suite 4000 Los Angeles, CA 90071 Telephone: (213) 580-3858 Facsimile: (213) 250-7900	dana.fox@lewisbrisbois.com edward.ward@lewisbrisbois.com eric.kizirian@lewisbrisbois.com tera.lutz@lewisbrisbois.com

¹ As of September 8, 2016, Daniel M. Crowley is not listed on the ECF notifications from the Court; however, he filed a Notice of Appearance on September 7, 2016.

List of Counsel in *Spencer, et al. v. Imada Bay Boys, et al.*
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Federal Court

Defendant BRANT BLAKEMAN	Robert T. Mackey, Esq. ² Peter H. Crossin, Esq. Richard P. Dieffenbach, Esq. John P. Worgul, Esq. VEATCH CARLSON, LLP 1055 Wilshire Boulevard, 11th Floor Los Angeles, CA 90017 Telephone: (213) 381-2861 Facsimile: (213) 383-6370	rmackey@veatchfirm.com pcrossin@veatchfirm.com rdieffenbach@veatchfirm.com jworgul@veatchfirm.com
Defendant ALAN JOHNSTON a/k/a JALIAN JOHNSTON	Robert S. Cooper, Esq. BUCHHALTER NEMER, APC 1000 Wilshire Boulevard, Suite 1500 Los Angeles, CA 90017 Telephone: (213) 891-5230 Facsimile: (213) 896-0400	rcooper@buchalter.com

J. Patrick Carey, Esq.
LAW OFFICES OF J. PATRICK CAREY
1230 Rosecrans Avenue, Suite 300
Manhattan Beach, CA 90266
Telephone: (310) 526-2237
Facsimile: (424) 456-3131

pat@patcareylaw.com

² As of September 8, 2016, Robert T. Mackey is not listed on the ECF notifications from the Court; however, he is listed on the caption page.

List of Counsel in *Spencer, et al. v. Lumada Bay Boys, et al.*

Federal Court Case

U.S.D.C. for the Central District of California, Western Division

Case #2:16-cv-02129-SJO (RAOx)

Defendant MICHAEL RAY PAPAYANS	Peter T. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266 Telephone: (213) 842-4617 Facsimile: (213) 477-2137	peter@havenlaw.com
Defendant ANGELO FERRARA	Mark C. Fields, Esq. LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35th Floor Los Angeles, CA 90071 Telephone: (213) 617-5225 Facsimile: (213) 629-4520	fields@markfieldslaw.com
Defendant N.F. [Petitioner's Mother Leonora Ferrara As His Guardian Ad Litem]	Thomas M. Phillips, Esq. Aaron G. Miller, Esq. THE PHILLIPS FIRM 800 Wilshire Boulevard, Suite 1550 Los Angeles, CA 90017 Telephone: (213) 244-9913 Facsimile: (213) 244-9915	tphillips@theephillipsfirm.com amiller@theephillipsfirm.com

³ Mark C. Fields is also counsel of record for Defendant Angelo Ferrara so his email address is listed twice in this document.

List of Counsel in *Spencer, et al. v. Lummada Bay Boys, et al.*
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Defendants CHARLIE FERRARA and FRANK FERRARA	<p>Patrick Au, Esq. Laura L. Bell, Esq.⁴ BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd. Suite 110 Woodland Hills, CA 91367 Telephone: (818) 712-9800 Facsimile: (818) 712-9900</p> <p>pau@bremerwhyte.com lbell@bremerwhyte.com</p>	
Defendants CITY OF PALOS VERDES and CHIEF OF POLICE JEFF KEPLEY	<p>Edwin J. Richards, Esq. Antoinette P. Hewitt, Esq. Rebecca L. Wilson, Esq. Jacob Song, Esq. Christopher D. Glos, Esq.⁵</p> <p>KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 92614-8595 Telephone: (949) 417-0999 Facsimile: (949) 417-5394</p> <p>ed.richards@kutakrock.com antoinette.hewitt@kutakrock.com rebecca.wilson@kutakrock.com jacob.song@kutakrock.com christopher.glos@kutakrock.com</p>	

⁴ As of September 8, 2016, Laura L. Bell is not listed on the ECF notifications from the Court; however, she is listed on the caption page.

⁵ While Christopher Glos advised Kurt Franklin that others in the firm would be handling this matter, Mr. Glos is still listed on the Court's ECF notification as of September 8, 2016.

EXHIBIT E

1 HANSON BRIDGETT LLP
2 KURT A. FRANKLIN, SBN 172715
3 kfranklin@hansonbridgett.com
4 SAMANTHA WOLFF, SBN 240280
5 swolff@hansonbridgett.com
6 CAROLINE LEE, SBN 293297
7 clee@hansonbridgett.com
8 425 Market Street, 26th Floor
9 San Francisco, California 94105
10 Telephone: (415) 777-3200
11 Facsimile: (415) 541-9366

12 HANSON BRIDGETT LLP
13 TYSON M. SHOWER, SBN 190375
14 tshower@hansonbridgett.com
15 LANDON D. BAILEY, SBN 240236
16 lbailey@hansonbridgett.com
17 500 Capitol Mall, Suite 1500
18 Sacramento, California 95814
19 Telephone: (916) 442-3333
20 Facsimile: (916) 442-2348

21 OTTEN LAW, PC
22 VICTOR OTTEN, SBN 165800
23 vic@ottenlawpc.com
24 KAVITA TEKCHANDANI, SBN 234873
25 kavita@ottenlawpc.com
26 3620 Pacific Coast Highway, #100
27 Torrance, California 90505
28 Telephone: (310) 378-8533
Facsimile: (310) 347-4225

17 Attorneys for Plaintiffs
18 CORY SPENCER, DIANA MILENA
19 REED, and COASTAL PROTECTION
20 RANGERS, INC.

21 **UNITED STATES DISTRICT COURT**
22 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

23 CORY SPENCER, an individual;
24 DIANA MILENA REED, an
25 individual; and COASTAL
26 PROTECTION RANGERS, INC., a
27 California non-profit public benefit
28 corporation,

Plaintiffs,

CASE NO. 2:16-cv-02129-SJO (RAOx)

PLAINTIFFS' NOTICE OF
DEPOSITION OF BRANT
BLAKEMAN

Date: November 10, 2016
Time: 9:00 a.m.
Place: Sousa Court Reporters
736 4th Street
Hermosa Beach, CA 90254

2:16-cv-02129-SJO (RAOx)

PLS. NOT. OF DEPOSITION OF BRANT BLAKEMAN

1
2 v.
3

4 LUNADA BAY BOYS; THE
5 INDIVIDUAL MEMBERS OF THE
6 LUNADA BAY BOYS, including but
7 not limited to SANG LEE, BRANT
8 BLAKEMAN, ALAN JOHNSTON
9 AKA JALIAN JOHNSTON,
10 MICHAEL RAE PAPAYANS,
11 ANGELO FERRARA, FRANK
12 FERRARA, CHARLIE FERRARA,
13 and N.F.; CITY OF PALOS
14 VERDES ESTATES; CHIEF OF
15 POLICE JEFF KEPLEY, in his
16 representative capacity; and DOES
17 1-10,
18

19 Defendants.
20

21 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:
22

23 Please take notice that on Thursday, November 10, 2016 at 9:00 a.m.,
24 Plaintiffs, Cory Spencer, Diana Milena Reed, and the Coastal Protection
25 Rangers, Inc. ("Plaintiffs") will take the deposition of Brant Blakeman at
26 Sousa Court Reporters, 736 4th Street, Hermosa Beach, CA 90254,
27 California. The deposition will be taken from day to day thereafter until
28 completed.

29 NOTICE IS FURTHER GIVEN that the deposing party intends to
30 cause the proceedings to be recorded stenographically through the instant
31 visual display of the testimony and will also be recorded by videotape and
32 audiotape.
33

34 //
35 //
36 //

1 DATED: October 27, 2016

HANSON BRIDGETT LLP

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Bv: /s/ Kurt A. Franklin

KURT A. FRANKLIN
SAMANTHA D. WOLFF
CAROLINE ELIZABETH LEE
TYSON M. SHOWER
LANDON D. BAILEY
Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

DATED: October 27, 2016

OTTEN LAW, PC

Bv:


VICTOR OTTEN
KAVITA TEKCHANDANI
Attorneys for Plaintiffs
CORY SPENCER, DIANA MILENA
REED, and COASTAL PROTECTION
RANGERS, INC.

PROOF OF SERVICE

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party of this action. I am employed in the county of Los Angeles, State of California. My business Address is 3620 Pacific Coast Highway, Suite 100, Torrance CA 90505.

On October 27, 2016, I served true copies of the following document(s) described as PLAINTIFFS' NOTICE OF DEPOSITION OF BRANT BLAKEMAN on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

BY EMAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address _____ to the personas at the email addresses listed in the Service List. The document(s) were transmitted at approximately 8:00 p.m. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct

Executed on October 27, at Torrance, California.

/s/Vanessa Marquez
Vanessa Marquez

List of Counsel in *Spencer, et al. v. Lunada Bay Boys, et al.*
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Plaintiffs CORY SPENCER, DIANA MILENA REED, and COASTAL PROTECTION RANGERS, INC.	<p>Kurt A. Franklin, Esq. Samantha Wolff, Esq. Caroline Lee, Esq. HANSON BRIDGERT LLP 425 Market Street, 26th Floor San Francisco, CA 94105 Telephone: (415) 777-3200 Facsimile: (415) 541-9366</p> <p>Tyson M. Shower, Esq. Landon Bailey, Esq. HANSON BRIDGERT LLP 500 Capitol Mall, Suite 1500 Sacramento, CA 95814 Telephone: (916) 442-3333 Facsimile: (916) 442-2348</p> <p>Victor Otten, Esq. Kavita Tekchandani, Esq. OTTEN LAW, PC 3620 Pacific Coast Highway, #100 Torrance, CA 90505 Telephone: (310) 378-8533 Facsimile: (310) 347-4225</p>	kfranklin@hansonbridgert.com swolff@hansonbridgert.com cllee@hansonbridgert.com tshower@hansonbridgert.com lbailey@hansonbridgert.com vic@ottenlawpc.com kavita@ottenlawpc.com
Defendant LUNADA BAY BOYS		

**List of Counsel in *Spencer, et al. v. Lunada Bay Boys, et al.*
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAO)**

Defendant SANG LEE	<p>Dana Alden Fox, Esq. Edward E. Ward, Jr., Esq. Eric Y. Kizirian, Esq. Tera Lutz, Esq.</p> <p>LEWIS BRISBOIS BISGAARD & SMITH LLP 633 W. 5th Street, Suite 4000 Los Angeles, CA 90071 Telephone: (213) 580-3858 Facsimile: (213) 250-7900</p> <p>Daniel M. Crowley, Esq.¹ BOOTH, MITCHEL & STRANGE LLP 707 Wilshire Boulevard, Suite 4450 Los Angeles, CA 90017 Telephone: (213) 738-0100 Facsimile: (213) 380-3308</p>	<p>dana.fox@lewisbrisbois.com edward.ward@lewisbrisbois.com eric.kizirian@lewisbrisbois.com tera.lutz@lewisbrisbois.com</p> <p>drcrowley@boothmitchel.com</p> <p>rmackey@veatchfirm.com porossin@veatchfirm.com rdieffenbach@veatchfirm.com jworgul@veatchfirm.com</p>
Defendant BRANT BLAKEMAN		

List of Counsel in *Spencer, et al. v. Lunada Bay Boys, et al.*
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Defendant ALAN JOHNSTON aka JALIAN JOHNSTON	J. Patrick Carey, Esq. LAW OFFICES OF J. PATRICK CAREY 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266 Telephone: (310) 526-2237 Facsimile: (424) 456-3131	patrickcarey@patrickcarey.com
Defendant MICHAEL RAY PAPAYANS	Peter T. Haven, Esq. HAVEN LAW 1230 Rosecrans Avenue, Suite 300 Manhattan Beach, CA 90266 Telephone: (213) 842-4617 Facsimile: (213) 477-2137	peter@havenlaw.com
Defendant ANGELO FERRARA	Mark C. Fields, Esq. LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35th Floor Los Angeles, CA 90071 Telephone: (213) 617-5225 Facsimile: (213) 629-4520	fields@markfieldslaw.com

tphillips@thephillipsfirm.com
amiller@thephillipsfirm.com
Thomas M. Phillips, Esq.
Aaron G. Miller, Esq.
THE PHILLIPS FIRM
800 Wilshire Boulevard, Suite 1550
Los Angeles, CA 90017
Telephone: (213) 244-9913
Facsimile: (213) 244-9915

List of Counsel in *Spencer, et al. v. Lunada Bay Boys, et al.*
U.S.D.C. for the Central District of California, Western Division
Case #2:16-cv-02129-SJO (RAOx)

Defendant N.F. [Petitioner's Mother Leonora Ferrara As His Guardian Ad Litem]	Mark C. Fields, Esq. ³ LAW OFFICES OF MARK C. FIELDS, APC 333 South Hope Street, 35th Floor Los Angeles, CA 90071 Telephone: (213) 617-5225 Facsimile: (213) 629-4520	fields@markfieldslaw.com
Defendants CHARLIE FERRARA and FRANK FERRARA	Patrick Au, Esq. Laura L. Bell, Esq. ⁴ BREMER WHYTE BROWN & O'MEARA, LLP 21271 Burbank Blvd. Suite 110 Woodland Hills, CA 91367 Telephone: (818) 712-9800 Facsimile: (818) 712-9900	pau@bremerwhyte.com lbell@bremerwhyte.com
Defendants CITY OF PALOS VERDES and CHIEF OF POLICE JEFF KEPLEY	Edwin J. Richards, Esq. Antoinette P. Hewitt, Esq. Rebecca L. Wilson, Esq. Jacob Song, Esq. Christopher D. Glos, Esq. ⁵ KUTAK ROCK LLP 5 Park Plaza, Suite 1500 Irvine, CA 92614-8595 Telephone: (949) 417-0999 Facsimile: (949) 417-5394	ed.richards@kutakrock.com antonette.hewitt@kutakrock.com rebecca.wilson@kutakrock.com jacob.song@kutakrock.com christopher.glos@kutakrock.com

EXHIBIT F



1055 Wilshire Boulevard, 11th Floor, Los Angeles, California 90017-2444
Telephone (213) 381-2861 Facsimile (213) 383-6370

October 28, 2016

SENT VIA FACSIMILE AND EMAIL

Kurt A. Franklin, Esq.
Tyson Shower, Esq.
Samantha Wolff, Esq.
Caroline Lee, Esq.
HANSON BRIDGETT, LLP
425 Market Street, 26th Floor
San Francisco, CA 94105
Facsimile: (415) 541-9366
Facsimile: (916)442-2348

Victor Otten, Esq.
Kavita Tekchandani, Esq.
OTTEN LAW, PC
3620 Pacific Coast Hwy, #100
Torrance, CA 90505
Facsimile: (310) 347-4225

Re: **SPENCER, CORY v. LUNADA BAY BOYS**
Date of Loss : 04/14/16
Our File No. : 010-08018.

Dear Mr. Franklin:

I am in receipt of Plaintiff Cory Spencer's responses to Interrogatories and Request for Production of Documents, Plaintiff Diana Milena Reed's response to Interrogatories and Request for Production of Documents, and Plaintiff Coastal Protection Rangers' response to Interrogatories and Request for Production of Documents.

I write to meet and confer regarding the responses we received, having plaintiffs provide further responses, having plaintiffs produce the records they state they will produce, and also seek a meeting with you within 10 days in accord with Local Rule 37-1.

.....

PLEASE NOTE THAT DUE TO THIS DISPUTE MR. BLAKEMAN WILL NOT BE PRODUCED FOR DEPOSITION UNTIL THIS DISPUTE HAS BEEN RESOLVED.

.....

Plaintiffs each allege causes of action against Mr. Blakeman in his personal capacity and specific to each plaintiff. Each plaintiff has alleged against Mr. Blakeman, not as a member of a group but as an individual, the following:

1. That Mr. Blakeman committed enumerated predicate crimes under Penal Code 186.22

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2. That Mr. Blakeman violated the Bane Act and public nuisance laws;
3. That Mr. Blakeman sold, markets, and uses controlled substances;
4. That Mr. Blakeman impeded boat traffic in navigable waters;
5. That Mr. Blakeman dangerously disregarded surfing rules;
6. That Mr. Blakeman illegally extorted money from beach goers;
7. That Mr. Blakeman is part of a Civil Conspiracy
8. That Mr. Blakeman violated the Bane Act as to each plaintiff;
9. That Mr. Blakeman is a nuisance as to each plaintiff;
10. That Mr. Blakeman assaulted each plaintiff;
11. That Mr. Blakeman battered each plaintiff;
12. That Mr. Blakeman committed some negligent act causing injury to each plaintiff.

The discovery at issue merely seeks the *identification of witnesses*, the *identification of the facts* believed to be within the witness's knowledge and production of documents supporting plaintiffs' specific allegations against *Mr. Blakeman in his personal capacity*.

The discovery requests defined "BRANT BLAKEMAN" as follows:

BRANT BLAKEMAN means only Brant Blakeman in his individual capacity. This definition expressly excludes Brant Blakeman as an alleged member of what plaintiff alleges are the "Lunada Bay Boys." This definition expressly excludes the actions or omissions of any other PERSON other than Brant Blakeman in his individual capacity. This definition expressly excludes acts of PERSONS other than Brant Blakeman that plaintiff attributes to Brant Blakeman under a theory of Civil Conspiracy.

Therefore, it should be rather clear that the discovery at issue is limited to the named plaintiff's claims against Mr. Blakeman and Mr. Blakeman's individual actions.

The Discovery Responses Were Untimely

The discovery was served by personal service on Mr. Otten and on your office by mail on September 16, 2016. Per agreement the responses were due based on service by mail. Responses are generally due within 30 days. (See FRCP Rule 33(b)(2) and Rule 34(b)(2)(A).) Where written discovery is served by mail the time to respond is extended by 3 days. (See FRCP Rule 6(d).) 33 days from September 16, 2016 is October 19, 2016.

The responses were not served until October 20, 2016, as indicated on the proofs of service. The responses were therefore not timely. *The objections were also therefore waived regarding the interrogatories.* (See FRCP 33(b)(4).)

Notably at no time after the discovery was propounded did you or any other of the plaintiffs' counsels seek an extension. Neither was there any protest as to the nature of this discovery or it being objectionable. Instead plaintiffs choose the path of non-disclosure and delay again.

We have previously expressed our desire to avoid gamesmanship and delays in discovery. The Court set a very short time frame for discovery to occur and plaintiffs were unwilling to phase discovery. In the event an extension is needed for any future please inform

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us, but please do not continue to delay discovery as a tactic to avoid disclosure of information and prejudice Mr. Blakeman's defense.

Plaintiffs' Responses to Interrogatories

As the objections to the interrogatories were waived we expect that further responses will be provided without delay. Our experience with plaintiffs thus far unfortunately lead us to believe this will not occur and we anticipate you will not agree to provide further responses. Therefore the substance of the objections will be addressed.

Defendant Brant Blakeman has propounded the same twelve interrogatories to each plaintiff. The requests seek the identity of witness(es) that support(s) plaintiffs' contentions against Mr. Blakeman regarding the twelve areas of inquiries identified previously and also to identify the facts believed to be within each witness's knowledge.

Each plaintiff offers the same uniform boilerplate objections to every interrogatory seeking the disclosure of witnesses and identification of facts within that witnesses knowledge.¹ These objections were not timely made as noted above. *Each plaintiff contends that based on the objections no answers to the requests will be provided.* As no answers were provided a further response is necessitated.

Below I address each objection to the interrogatories, our position why the objection is not applicable. Again, please note each and every objection was waived by the untimely responses of your clients. The following substantive discussion merely amplifies the discovery abuse reflected in Plaintiffs' responses and demonstrates why full and complete responses are required.

Plaintiffs' Objection: Undue Burden, Harassment, and Duplication

Each plaintiff contends that identifying the witnesses to the claims against Mr. Blakeman is unduly burdensome and harassing and the information can be found in the initial and supplemental disclosures.

Plaintiffs in their initial disclosure identify potentially one witness with knowledge of Mr. Blakeman. This is Ken Claypool. If this is the only witness that plaintiffs are aware of for the 12 areas of inquiry in the interrogatories then it surely is not very burdensome to identify him and the facts believed to be within his knowledge as they relate to the specific inquiry. Surely if there are other witnesses that allege Mr. Blakeman did some act they can also be identified.

This objection by any plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

¹ Plaintiff Cory Spencer includes in his responses that he additionally was deposed.

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Plaintiffs' Objection: The Interrogatory is Compound and has Subparts

Plaintiffs contend the interrogatories are designed to circumvent the numerical limitations provided in FRCP Rule 33(a)(1). The objection wholly lacks merit.

The interrogatory seeks the identification of a witness and the facts within that witness's knowledge. FRCP Rule 33 allows the interrogatories to include "discrete subparts." Seeking the identification of witnesses and the facts within their knowledge are considered one interrogatory. (See *Chapman v. California Dept. of Educ.*, 2002 WL 32854376, at *1 (N.D.Cal.,2002).)

Furthermore, even was one to entertain plaintiffs' contention that the interrogatories did not contain discrete subparts *there are only two subparts*. If you take 12 interrogatories and multiply them by 2 this comes out to 24 interrogatories. This is within the limits of FRCP Rule 33 which allows for 25 interrogatories.

This objection by plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiffs' Objection: The Interrogatory Seeks Information that is Outside of Responding Party's Knowledge

Each plaintiff alleges that the request seeks information outside of the plaintiffs' knowledge. This objection either wholly lacks merit or there are very troubling issues related to the plaintiffs' and counsel's obligations under FRCP Rule 11's deemed verification requirements.

Viewing the untimely discovery non-responses objectively, each plaintiff makes specific and egregious allegations all without any personal knowledge of witnesses who will support the allegations (including the plaintiffs' themselves). This is tantamount to plaintiffs openly admitting this is a fishing expedition against Mr. Blakeman and they were in violation of Rule 11 since the complaint was filed. As to the assault and battery allegations against Mr. Blakeman, were they made without probable cause or any factual basis? If so please just state that and dismiss the action as to Mr. Blakeman.

If plaintiffs do not have knowledge the identity of witnesses that support their allegations they merely need to state there are none. Otherwise the witnesses should be identified.

This objection by plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiffs' Objection: The Interrogatory Invades the Attorney Client Privilege and Attorney Work Product Doctrine.

Plaintiffs object that identifying witnesses and the facts within that witness's knowledge that support Plaintiffs' allegations that Mr. Blakeman acted in some manner invades the attorney client privilege.

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There is no legal support for withholding witnesses identities based on the attorney client privilege. Personal knowledge about facts is not privileged. “[T]he protection of the privilege extends only to *communications* and not to facts. A fact is one thing and a communication concerning that fact is an entirely different thing. (*Upjohn Co. v. U.S.*, 101 S.Ct. 677, 685–86, 449 U.S. 383, 395–96 (U.S. Mich.,1981).)

If all responses to the discovery are privileged, and Plaintiffs' stand on the privilege, none of the facts, witnesses or documents supporting Plaintiffs' allegations will be admissible. If that is the Plaintiffs' position, please dismiss the action as to Mr. Blakeman now in the interest of judicial economy.

Otherwise, since the only facts sought are witness identity as to specific issues and the believed factual information the witness possess, please provide full answers. This objection by plaintiffs is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiffs' Objection: the Interrogatory is Premature as a Contention Interrogatory

Each plaintiff alleges the interrogatories are contention interrogatories and due to the early state of litigation and pre-trial discovery the responding party is unable to provide a complete response, nor it is required to so. Plaintiffs' cite to *Kmeic v. Powerwave Techs. Inc.*, *Folz v. Union Pacific Company*, and FRCP Rule 33(a)(2).

While in some contexts contention interrogatories can be delayed, these interrogatories do not fit that context and therefore should be answered. This matter involved plaintiffs in their individual capacities, as well as representative capacities, alleging intentional torts, nuisances, and negligence against Mr. Blakeman, and the questions asked relate to the basis for Plaintiffs' allegations. Surely there were personally known bases for these specific allegations. If not, please dismiss the action as to Mr. Blakeman.

Kmeic was a securities litigation matter. *Kmeic* involved asking contention interrogatories to a shareholder plaintiff early in litigation is very different from in this case. *Folz* related to defendant's contentions related to defendant's affirmative defenses, something that clearly would involve significant discovery to develop and is much different than this case.

It should be noted that these interrogatories are specific type of contention interrogatory. They seek the identification of witnesses that support plaintiffs' contentions that Mr. Blakeman committed some specific act alleged act *stated in the complaint filed by Plaintiffs*. The factual answers will allow Mr. Blakeman to depose such persons and to have a “just, speedy, and inexpensive determination [in this] action.” (FRCP Rule 1.) If there are no facts, witnesses or documents, the complaint's allegations are baseless and the complaint should never have been filed. Please answer fully or dismiss the action as to Mr. Blakeman.

The identification of witnesses is important not only to Mr. Blakeman's defense but also because they would contribute meaningfully to narrow the scope of the issues in dispute, set up early settlement discussions, and expose the potential bases for a Rule 11 motion and Rule 56 motion. (See *HTC Corp. v. Technology Properties Ltd.*, 2011 WL 97787, at *2 (N.D.Cal.,2011); *In re Convergent Technologies Securities Litigation*, 108 F.R.D. 328, 338-339 (D.C.Cal.,1985).

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As you are aware we have continually informed you that Mr. Blakeman intends to pursue motions under Rule 56 related to plaintiffs baseless allegations made against him.

Furthermore, even in *In re Convergent Technologies Securities Litigation* the Court recognized the importance of the identification of witnesses. (See *In re Convergent Technologies Securities Litigation*, 108 F.R.D. at 332-333). Despite the case being a complex securities litigation matter the Court still compelled the plaintiffs to respond to "contention" interrogatories seeking the identities of witness. (See *In re Convergent Technologies Securities Litigation*, 108 F.R.D. at 340-341.) The interrogatories in question here really are no different.

This objection by plaintiff is not a justification to refuse to provide a response to the interrogatories, lacks merit, and should be removed.

Plaintiff's Response to Request for Production of Documents

The production requests seeks the documents that support plaintiffs contentions regarding the same 12 areas of inquiry identified previously. The requests specifically only relate to Mr. Blakeman just like the interrogatories.

No Documents Have Been Produced Despite Plaintiffs Asserting They Will Produce Them

Each plaintiff indicates after objections as to Requests Numbers 1, 2, 3, 4, 5, 7, 8, and 9 that documents will be produced. Documents were to be produced in 30 days as made in the request. (See FRCP Rule 34(b)(2)(B).) **NO DOCUMENTS WERE PRODUCED.**

There is no excuse for delaying producing this information other to prejudice Mr. Blakeman's defenses. This is particularly egregious in that you are aware that Mr. Blakeman has a scheduled deposition upcoming. Yet plaintiffs seek to sand bag him.

The objections plaintiffs have asserted are also largely without merit and it is unknown if any information is being withheld based on the objections. If responsive material is being withheld the objection must so state. (See FRCP Rule 34(b)(2)(C).) The response must also specify the part of the request being objected to. (See id.) No such indication is made by the plaintiffs.

Please confirm whether any responsive information is being withheld and if any objection is being made to only part of the request as opposed the entire request.

Additionally, the objections lack merit. Each of the boilerplate objections asserted in response to every request by each plaintiff is addressed below.

Plaintiffs' Objection: The Production Request is Premature as Seeking Information Related to Contentions

Plaintiff objects that producing the information supporting its contentions is premature on the same basis as it relates to contentions. They again cite to *Kmeic* and *Folz*. Neither case though addresses "contention" production requests.

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In fact the Court in *In re Convergent Technologies Securities Litigation* expressly noted that the analysis to be applied to when contention interrogatories needed be answered does not apply to production requests. (*In re Convergent Technologies Securities Litigation*, 108 F.R.D. at 333 “Nor do the generalizations articulated here apply to Rule 34 requests for documents that bear on material factual allegations.”)

The requests at issue here bear on material factual allegations each plaintiff has made against Mr. Blakeman. Material facts are discoverable at the outset of litigation and these facts are not ones that would be in the exclusive control of any defendant.

Plaintiffs have had an opportunity through informal requests from the City of Palos Verdes and in discovery in this litigation to obtain thousands of police records. Plaintiffs have identified hundreds of witnesses that purportedly support their case. Plaintiffs have identified various documents in initial disclosures.

These requests only seek documents that pertain to the material allegations made against Mr. Blakeman. We are unable to identify or find a single document produced in discovery to date that indicates Mr. Blakeman ever did anything to support plaintiffs’ claims against him. That is why the request for production asks for such documents. If (as is apparently the case) there are none your clients are required to so state.

During the deposition of Ms. Reed we learned that plaintiffs have withheld recordings made surreptitiously and not disclosed in its initial disclosures, despite being in existence and in plaintiffs’ possession. We unfortunately anticipate that this sort of shirking of the plaintiffs’ duty to disclose information will continue.

The objection wholly lacks merit and should be removed.

Plaintiffs’ Objection: the Request Fails to Identify with Reasonable Particularity the Item to be Inspected

The request is rather particular. It seeks documents and those that support a specific allegation. Who better to determine what these documents are than the plaintiffs as plaintiffs are the ones making the allegations.

This objection wholly lacks merit and should be removed.

The Request invades the Attorney Client Privilege and Attorney Work Product Doctrine.

These requests seek documents that support plaintiffs’ material allegations made against Mr. Blakeman. They do not seek communication with plaintiffs’ counsels. They do not seek information that is work product. If plaintiffs intend to use documents offensively against Mr. Blakeman they cannot withhold such under the cloak of a privilege.

If there is some concern that some document that would be privileged would be at issue for any of the requests related to the material allegations then please inform us why you have such a belief.

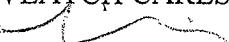
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* * *

We anticipate that motions to compel further responses and the production of documents will be required. As stated previously we will not be producing Mr. Blakeman for deposition until this dispute is resolved. We will not entertain any delays nor allow plaintiffs to drag this process out as they did with amending their initial disclosures. Please do not delay in providing me your availability for a Rule 37-1 meeting to occur within 10 days of this letter as we will be promptly filing a motion on these issues if necessary and without delay.

Lastly, we desire to depose Mr. Claypool. It is our understanding that his information has been withheld on the basis that you represent him. Please inform us if you will produce him for deposition before Thanksgiving, 2016. If you do not represent Mr. Claypool then please amend the initial disclosures without delay and provide us his contact information.

Very truly yours,
VEATCH CARLSON


RICHARD P. DIEFFENBACH
JOHN P. WORGUL

JPW:
cc: RTM; Robert Cooper

EXHIBIT G

Office Services Center

From: Victor Otten <vic@ottenlawpc.com>
Sent: Tuesday, November 8, 2016 9:23 PM
To: Jennifer A. Foldvary
Subject: FW: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

From: Victor Otten
Sent: Tuesday, November 1, 2016 7:11 PM
To: 'Richard P. Dieffenbach' <RDieffenbach@veatchfirm.com>; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan <kavita@ottenlawpc.com>; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey <RMackey@veatchfirm.com>; prossin@veatchfirm.com; John Worgul <JWorgul@veatchfirm.com>; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDSLAW.COM; Cooper, Robert S. <rcooper@buchalter.com>; Rob Mackey <RMackey@veatchfirm.com>
Subject: RE: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Mr. Dieffenbach:

Again, we've in receipt of another Friday meet-and-confer email from your office. This time, your letter was emailed to me during last Friday's deposition of co-defendant Angelo Ferrara -- a deposition that I was taking. In your letter, you stake out the position that because of an unrelated discovery dispute: "PLEASE NOTE THAT DUE TO THIS DISCOVERY DISPUTE MR. BLAKEMAN WILL NOT BE PRODUCED FOR DEPOSITION UNTIL THIS DISPUTE HAS BEEN RESOLVED." There is no agreement to reschedule Mr. Blakeman's deposition, and such unilateral rescheduling is not permitted under the federal rules and is otherwise improper.

We are accommodating to reasonable requests. A family, medical or other emergency might be a reason to accommodate rescheduling a deposition – but no such fact exist here. Instead, you attempt to unilaterally cancel a deposition because you're unhappy with well-founded (and entirely unrelated) objections to your client's inappropriate discovery. Indeed, as you well know, a lawyer has no authority unilaterally to cancel a deposition that is reasonably noticed in writing pursuant to Fed.R.Civ.P. 30(b)(1), which is a step only the Court is empowered to take. Where a party "fails, after being served with proper notice, to appear for that person's deposition," the Federal Rules of Civil Procedure provide that the Court must, at a minimum, require the cancelling party (and/or its counsel) to "pay the reasonable expenses, including attorney's fees, caused by the failure, unless the failure was substantially justified or other circumstances make an award of expenses unjust." Fed. R. Civ. Proc. 37(d)(1)(A).

In sum, after coordinating dates with the numerous co-defendants and both your office and Mr. Blakeman's Cumis-counsel law firm, this deposition has already be re-scheduled once at your office's insistence. Thus, because it has been properly notice and there is no legitimate reason for cancelling it, we expect Mr. Blakeman to attend his deposition next week as scheduled on November 10. Please be apprised that we have ordered a court reporter and videographer for next week's deposition, and are making appropriate travel arrangements. If Mr. Blakeman fails to appear without the necessary relief of the Court, we will seek all appropriate remedies.

Finally, because I'm in trial, I'm not available to meet on the ancillary meet-and-confer request on Plaintiffs' responses to Mr. Blakeman's deficient written discovery requests. I should be able to meet with you on this next week – perhaps we could meet after Mr. Blakeman's deposition. Before then, I'll provide you a written response.

Sincerely,

Vic Otten

From: Richard P. Dieffenbach [<mailto:RDieffenbach@veatchfirm.com>]
Sent: Friday, October 28, 2016 3:38 PM
To: Victor Otten <vic@ottenlawpc.com>; kfranklin@hansonbridgett.com
Cc: Kavita Tekchandan <kavita@ottenlawpc.com>; kfranklin@hansonbridgett.com; SWolff@hansonbridgett.com; TShower@hansonbridgett.com; dana.fox@lewisbrisbois.com; edward.ward@lewisbrisbois.com; eric.kizirian@lewisbrisbois.com; tera.lutz@lewisbrisbois.com; dmcrowley@boothmitchel.com; Rob Mackey <RMackey@veatchfirm.com>; prossin@veatchfirm.com; John Worgul <JWorgul@veatchfirm.com>; pat@patcareylaw.com; peter@havenlaw.com; tphillips@phillipssteel.com; amiller@thephillipsfirm.com; pau@bremerwhyte.com; lbell@bremerwhyte.com; ed.richards@kutakrock.com; antoinette.hewitt@kutakrock.com; rebecca.wilson@kutakrock.com; jacob.song@kutakrock.com; christopher.glos@kutakrock.com; fields@MARKFIELDSLAW.COM; Cooper, Robert S. <rcooper@buchalter.com>; Rob Mackey <RMackey@veatchfirm.com>
Subject: Spencer v Lunada--Meet and confer letter to Plaintiffs' counsel;

Dear Counsel

Please see attached letter. We have availability in our office for the face to face meeting October 31, November 1 or 2 (afternoon), or November 3 or 4.

Richard P. Dieffenbach, Esq.

Veatch Carlson, LLP
1055 Wilshire Blvd., 11th Floor
Los Angeles, CA 90017
(213) 381-2861 Office
(213) 383-6370 Fax
rdieffenbach@veatchfirm.com

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EXHIBIT H

OTTEN LAW, PC
ATTORNEYS

November 7, 2016

VIA E-MAIL AND U.S. MAIL

Richard P. Dieffenbach
John P. Worgul
Veatch Carlson, LLP
1055 Wilshire Boulevard, 11th Floor
Los Angeles, CA 90017-2444

Re: Spencer, et al. v. Lunada Bay Boys, et al.

Dear Mr. Dieffenbach:

I write in response to the letter you sent on Friday, October 28, 2016, at 4:30 PM regarding Plaintiffs Cory Spencer, Diana Milena Reed, and the Coastal Protection Rangers' ("Plaintiffs") responses to Defendant Brant Blakeman's ("Blakeman") first set of Interrogatories and Requests for Production of Documents. As you are aware, I have been in trial and have not had an opportunity to respond substantively to your letter until now.

November 10, 2016 Deposition of Blakeman.

To reiterate my November 1, 2016 email to you, the deposition of Blakeman is going forward on Thursday, November 10, 2016. You have no basis to unilaterally cancel the reasonably noticed deposition of your client. Your refusal to produce Blakeman for deposition will result in sanctions, even absent a court order. Fed. R. Civ. Proc. 37(d)(1)(A)(i).

Discovery Responses Were, In Fact, Timely.

Blakeman served Plaintiffs with discovery requests on September 16, 2016, by mail and attempted personal service on that same date. As you know, Blakeman and Plaintiffs agreed that Plaintiffs' responses and objections would be due based on service by mail because of certain errors in the personal service.¹

¹ If you recall, your office failed to personally serve the documents on 9-16-16 despite what is stated in the proof of service. The attorney down hall from my office found the discovery documents sitting on the ground outside the back entrance to our building on 9-17-16.

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As you may know, Fed. R. Civ. Proc. 6(d) was amended on December 1, 2005, and again on December 1, 2007, and now reads as follows: "When a party may or must act within a specified time after being served and service is made under Rule 5(b)(2)(C) (mail), (D) (leaving with the clerk), or (F) (other means consented to), 3 days are added after the period would otherwise expire under Rule 6(a)." (Emphasis added.)

Pursuant to the computation set forth in Fed. R. Civ. Proc. 6(a) and 6(d), Plaintiffs' responses and objections were due on October 20, 2016. Thirty days after September 16, 2016 was Sunday, October 16, 2016. Fed. R. Civ. Proc. 6(a) states that "if the last day is a Saturday, Sunday, or legal holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday, or legal holiday." The next day following Sunday, October 16, 2016, was Monday, October 17, 2016. Per Fed. R. Civ. Proc. 6(d), we extend the October 17, 2016, deadline prescribed by Fed. R. Civ. Proc. 6(a) by three days to account for the service by mail: October 20, 2016. Plaintiffs' discovery responses and objections were timely served on October 20, 2016. Therefore, Plaintiffs did not waive their objections, and their responses were effective.

Plaintiffs' Proper Objections and Responses to Interrogatories.

Plaintiffs' objections and responses to Blakeman's interrogatories were proper and therefore do not require supplementation.

As an initial matter, you repeatedly assert that Plaintiffs' objections should be removed. Your demand that Plaintiffs remove objections from their discovery responses is baseless and lacks legal authority. Plaintiffs will not amend their responses to remove objections unless you can supply legal authority for this obligation.

Unduly Burdensome, Harassing, and Duplicative.

Plaintiffs objected to Blakeman's request to identify witnesses to the claims against Blakeman on the grounds that it already disclosed the names of potential witnesses in their initial and supplemental disclosures. Specifically, Plaintiffs listed 105 witnesses in its October 2, 2016 supplemental disclosures, a number of whom may have witnessed the claims against Blakeman. Your client already has this information in his possession. Therefore, it would be unduly burdensome, harassing, and duplicative for Plaintiffs to be compelled to identify these witnesses again.

Compound.

Plaintiffs objected to Blakeman's requests to identify persons with knowledge of facts supporting their contentions *and* facts within each person's knowledge on the basis that they are compound. Fed. R. Civ. Proc. 33(a)(1) limits a party to 25 interrogatories propounded on any other party, including all discrete subparts.

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Courts have consistently concluded that an interrogatory that asks a party to identify facts, documents, and witnesses should count as separate interrogatories. See e.g., *Makaeff v. Trump Univ.*, LLC, 2014 WL 3490356, at *7 (S.D. Cal. July 11, 2014) (concluding the interrogatory "contains 3 discrete subparts [for facts, documents, and witnesses,] and these subparts must be multiplied by the number of RFAs that were not unqualified admissions"); *Superior Commc'n v. Earhugger, Inc.*, 257 F.R.D. 215, 218 (C.D. Cal. 2009) (request for facts, persons, and documents constitutes three distinct interrogatories); *Hasan v. Johnson*, 2012 U.S. Dist. LEXIS 21578, 13-14 (E.D. Cal. Feb. 21, 2012) (same).

Here, each of Blakeman's interrogatories seeks witnesses and facts. Blakeman shall propound amended interrogatories that separate out the 2 subparts of each of the 12 interrogatories so that Blakeman propounds 24 total interrogatories on each Plaintiff. Until then, the interrogatories are compound and therefore improper.

Information Outside Plaintiff's Knowledge.

Plaintiffs adamantly deny your insinuation that they or their counsel have violated Fed. R. Civ. Proc. 11 regarding the identification of witnesses to support their allegations. To the contrary, Plaintiffs have identified in their October 2, 2016, supplemental disclosures 105 witnesses who may possess knowledge of the allegations.

Plaintiffs' objection that the interrogatories seek information outside their knowledge is an objection only to the extent that the information sought is outside Plaintiffs' knowledge. Although Plaintiffs neglected to include the words "to the extent that" preceding these written objections, that is the objection that Plaintiffs assert. We can amend our objections to include this wording, if you would like.

Attorney-Client Privilege and Attorney Work Product Doctrine.

Plaintiffs objected to the interrogatories to the extent that they invade the attorney-client privilege and/or the work product doctrine by compelling privileged communication and/or litigation strategy. These objections are worded such that either the attorney-client privilege or the attorney work product doctrine (or both) could protect the information from disclosure. The objections do not state that both privileges necessarily apply to each piece of information sought. Furthermore, Plaintiffs do not claim that all information sought is privileged, as evidenced by the inclusion of "to the extent that" preceding these objections. Rather, we have applied the work product doctrine to protect trial preparation materials that reveal attorney strategy, intended lines of proof, evaluations of strengths and weaknesses, and inferences drawn from interviews. Fed. R. Civ. Proc. 26(b)(3); *Hickman v. Taylor*, 329 U. S. 495, 511 (1947). We have applied the attorney-client privilege to protect our confidential communications with Plaintiffs. *United States v. Graf*, 610 F. 3d 1148, 1156 (9th Cir. 2010).

Moreover, we are well aware that evidence not exchanged in discovery is inadmissible at trial. Contrary to your contention that witness identities will be inadmissible, we have already

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disclosed the identities of potential witnesses in our initial and supplemental disclosures. Even at this early stage of discovery, there are more than 100 witnesses whose identities are admissible at trial.

Premature Contention Interrogatories.

Plaintiffs objected to Blakeman's interrogatories as premature because they seek or necessarily rely upon a contention. Fed. R. Civ. P. 33(a)(2); *Kmiec v. Powerwave Techs. Inc.*, et al., 2014 WL 11512195 (C.D. Cal Dec. 2, 2014) at *1; *Folz v. Union Pacific Railroad Company*, 2014 WL 357929 (S.D. Cal. Jan. 31, 2014) at *1-2. Plaintiffs stand by this objection.

Contention interrogatories need not be answered until discovery is "substantially complete." See Fed. R. Civ. P. 33(a)(2). In *Kmiec*, the court held that discovery was not "substantially complete" when the discovery cutoff was 4 months away and depositions of fact witnesses or defendants had not yet occurred. The court opined that "[i]f Defendants had completed their document production, depositions were under way, and the discovery cutoff date was just a month or so away, Defendants might be entitled to the information they seek. But under the circumstances here, Defendants' interrogatories are premature." *Kmiec*, at *1 (emphasis added). Similarly, the *Folz* court found that discovery was not substantially complete and the responding party had adequate time to supplement his answers when the discovery cutoff was 8 months away. *Folz*, at *3. Even the case you cite, *HTC Corp. v. Tech. Properties Ltd.*, 2011 WL 97787 (N.D. Cal. Jan. 12, 2011), held that the responding party did not need to respond to contention interrogatories because discovery was "still in full-swing." *HTC Corp.*, at *3.

Here, the discovery cutoff is more than 9 months away, on August 7, 2017. None of the individual Defendants – your client included – have produced any documents, and Plaintiff Cory Spencer produced his first set of documents this past Friday, November 4, 2016. Additionally, the parties have only taken 4 out of the 20 possible depositions – Jeff Kepley, Cory Spencer, Diana Milena Reed, and Angelo Ferrara – all of which took place within the last month. Thus, it is clear that we are in the early stages of discovery. Discovery is far from being "substantially complete;" therefore, Plaintiffs need not respond to contention interrogatories. Regarding Blakeman's desire to know the names of witnesses, Plaintiffs have provided over 100 potential witnesses in its initial and supplemental disclosures. Blakeman is free to use that list of witnesses to pursue his defense strategy.

Pursuant to Fed. R. Civ. P. 26(e)(1)(A), Plaintiffs will supplement their discovery responses as additional facts become known.

Plaintiffs' Proper Objections and Responses to Requests for Production of Documents.

Since your October 28, 2016 meet and confer letter, Plaintiff Cory Spencer has produced over 2,000 pages of documents (see November 4, 2016 production, PLTF000001 – PLTF002029). We assume that this production addresses the portion of your meet and confer letter regarding

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the Requests for Production of Documents but are willing to discuss any concerns you may have after your review of Plaintiffs' production.

Deposition of Ken Claypool.

We represent Ken Claypool. We will contact Mr. Claypool regarding his availability for deposition before Thanksgiving.

If you are still interested, I am available to meet with you in person this week to discuss remaining discovery issues, if any.

Very truly yours,
OTTEN LAW, PC
Victor Otten, Esq.

CC: Kavita Tekchandani
Kurt Franklin
Samantha Wolff

EXHIBIT I

CONFIDENTIAL:

Attorney Work Product

-----Original Message-----

From: Kurt A. Franklin [mailto:kfranklin@hansonbridgett.com]
Sent: Tuesday, November 8, 2016 11:09 AM
To: Victor Otten <vic@ottenlawpc.com>
Cc: Samantha Wolff <SWolff@hansonbridgett.com>; Ann D. Ghiorso <aghiorso@hansonbridgett.com>
Subject: FW: Message from Unknown sender (2133812861) Pete Crossin Blakeman/Lunada
CONFIDENTIAL: Attorney Work Product

From: Cisco Unity Connection Messaging System <unityconnection@hanson.com>
Sent: Tuesday, November 8, 2016 11:02:15 AM
To: Kurt A. Franklin
Subject: Message from Unknown sender (2133812861)